

Mr. MITCHELL of Maryland.  
 Mrs. SPELLMAN.  
 Mr. HARKIN in two instances.  
 Mr. BLANCHARD.  
 Mr. MOORHEAD of Pennsylvania in two instances.

#### BILLS PRESENTED TO THE PRESIDENT

Mr. THOMPSON, from the Committee on House Administration, reported that that committee did on February 7, 1980, present to the President, for his approval, bills of the House of the following titles:

H.R. 2440. To provide assistance to airport operators to prepare and carry out noise compatibility programs, to provide assistance to assure continued safety in aviation, and for other purposes; and

H.R. 5176. To establish an independent personnel system for employees of the General Accounting Office.

#### SENATE ENROLLED JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to a joint resolution of the Senate of the following title:

S.J. Res. 108. Joint resolution to validate the effectiveness of certain plans for the use or distribution of funds appropriated to pay judgments awarded to Indian tribes or groups.

#### ADJOURNMENT TO TUESDAY, FEBRUARY 19, 1980

Mr. GONZALEZ. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to.

The SPEAKER pro tempore. Pursuant to the provisions of House Concurrent Resolution 276 of the 96th Congress, the House stands adjourned until 12 o'clock meridian, Tuesday, February 19, 1980.

Thereupon (at 3 o'clock and 19 minutes p.m.), pursuant to House Concurrent Resolution 276, the House adjourned until Tuesday, February 19, 1980, at 12 o'clock noon.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

3471. A letter from the Director, Defense Security Assistance Agency, transmitting a report on the impact on U.S. readiness of the Navy's proposed sale of certain military equipment to France (Transmittal No. 80-27), pursuant to section 813 of Public Law 94-106, as amended; to the Committee on Armed Services.

3472. A letter from the Assistant Secretary of State for Congressional Relations, transmitting a report on economic relations between the United States and Taiwan during 1979, pursuant to section 12(d) of Public Law 96-8; to the Committee on Foreign Affairs.

3473. A letter from the Assistant Secretary of State for Congressional Relations, transmitting notice of the State Department's intention to consent to a request by the Government of Belgium for permission to transfer certain U.S. origin defense articles to the Government of Indonesia, pursuant to section 3(a) of the Arms Export Control Act; to the Committee on Foreign Affairs.

3474. A letter from the Assistant Secretary of State for Congressional Relations, transmitting a determination that it would further the foreign policy interests of the United States to provide economic support funds to Zambia, pursuant to section 533(b) of the Foreign Assistance Act of 1961, as amended (92 Stat. 735); to the Committee on Foreign Affairs.

3475. A letter from the Director, Defense Security Assistance Agency, transmitting notice of the Navy's intention to offer to sell certain defense equipment and services to France (Transmittal No. 80-27), pursuant to section 36(b) of the Arms Export Control Act; to the Committee on Foreign Affairs.

3476. A letter from the Administrator, Panama Canal Commission, transmitting a draft of proposed legislation to authorize appropriations for fiscal years beginning October 1, 1980 and October 1, 1981 for the maintenance and operation of the Panama Canal, and for other purposes; to the Committee on Merchant Marine and Fisheries.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. FOLEY: Committee on Agriculture. H.R. 6285. A bill to amend the Egg Research and Consumer Information Act; with amendment (Rept. No. 96-752). Referred to the Committee of the Whole House on the State of the Union.

Mr. DRINAN: Committee on the Judiciary. H.R. 4257. A bill to help States assist the innocent victims of crime; with amendment (Rept. No. 96-753). Referred to the Committee of the Whole House on the State of the Union.

Mr. PRICE: Committee of conference. Conference report on H.R. 5235 (Rept. No. 96-754). And ordered to be printed.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XX, public bills and resolutions were introduced and severally referred as follows:

By Mr. ALEXANDER (for himself, Mr. BETHUNE, Mr. HAMMERSCHMIDT, and Mr. ANTHONY):

H.R. 6503. A bill to equalize competition between State and national banks, and for other purposes; jointly, to the Committees on Banking, Finance and Urban Affairs and Small Business.

By Mr. PHILLIP BURTON (for himself, Mr. SEBELIUS, Mr. SEIBERLING, Mr. VENTO, Mr. BINGHAM, and Mr. KOSTMAYER):

H.R. 6504. A bill entitled "The National Heritage Policy Act of 1979"; to the Committee on Interior and Insular Affairs.

By Mr. GAYDOS:

H.R. 6505. A bill to repeal the Federal requirement of incremental pricing under the Natural Gas Policy Act of 1978; to the Committee on Interstate and Foreign Commerce.

By Mr. HANSEN:

H.R. 6506. A bill to restore and promote competition in the marketing of motor fuel by prohibiting the control, operation or acquisition of marketing outlets by petroleum refiners, producers, and distributors, and for other purposes; to the Committee on the Judiciary.

By Mr. HARKIN:

H.R. 6507. A bill to amend the Internal Revenue Code of 1954 to provide for cost-of-living adjustments in the individual and corporate income tax rates, in the amount of the zero bracket amount and the personal

exemptions, in the estate and gift tax rates and the amount of the unified credit against estate and gift taxes, and in the amount of certain excise taxes; to the Committee on Ways and Means.

By Mr. HAWKINS:

H.R. 6508. A bill to authorize Federal supplemental employment programs, and for other purposes; to the Committee on Education and Labor.

By Ms. HOLTZMAN:

H.R. 6509. A bill to establish in the Department of Energy an Energy Conservation Bank to provide financial assistance for loans made with respect to solar energy systems and energy conservation improvements in certain residential and small business buildings; to the Committee on Banking, Finance and Urban Affairs.

By Mr. JENKINS (for himself and Mr. FOWLER):

H.R. 6510. A bill to amend title II of the Social Security Act to permit a State to modify its coverage agreement so as to exclude services performed in any year by an election official or election worker if the remuneration paid for such services is less than \$300 (instead of only if such remuneration is less than \$100 as at present); to the Committee on Ways and Means.

By Mr. JOHNSON of California (for himself, Mr. SLACK, Mr. MOLLOHAN, and Mr. RAHALL):

H.R. 6511. A bill to designate the building known as the Federal Building in Morgantown, W. Va., as the "Harley O. Staggers Federal Building"; to the Committee on Public Works and Transportation.

By Mr. LEWIS:

H.R. 6512. A bill to amend title II of the Social Security Act to make it clear that social security benefits are and will continue to be exempt from all taxation; to the Committee on Ways and Means.

By Mr. MCKINNEY:

H.R. 6513. A bill to establish a commission to study the desirability of establishing a single intergovernmental authority to manage and finance the provision of mass transportation, air quality control, water, solid waste disposal, and sewer services in the Washington, District of Columbia, metropolitan region; jointly to the Committees on the District of Columbia and Public Works and Transportation.

By Mr. MURPHY of Pennsylvania:

H.R. 6514. A bill to amend the Powerplant and Industrial Fuel Use Act of 1978 to prohibit the use of oil or natural gas by certain existing powerplants, and for other purposes; jointly, to the Committees on Interstate and Foreign Commerce and Ways and Means.

By Mr. MURPHY of New York (for himself, Mr. HUBBARD, Mr. McCLOSKEY, and Mr. BAUMAN):

H.R. 6515. A bill to authorize appropriations for the fiscal year beginning October 1, 1980, for the maintenance and operation of the Panama Canal, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. MURPHY of New York (for himself, Mr. HUBBARD, and Mr. McCLOSKEY) (by request):

H.R. 6516. A bill to authorize appropriations for fiscal years beginning October 1, 1980 and October 1, 1981 for the maintenance and operation of the Panama Canal, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. PATTERSON:

H.R. 6517. A bill to amend the Internal Revenue Code of 1954 to provide for cost-of-living adjustments in the amount of the personal exemption and in the individual tax rates; to the Committee on Ways and Means.

By Mr. PREYER:

H.R. 6518. A bill to improve information practices in the insurance industry, to amend the Privacy Act of 1974 to transfer coverage

and resources, exchange ideas, share common problems and goals, develop long-range policies, and formulate recommendations for action by individual agencies within the United Nations interested in matters relating to the aged and aging.

The convening of a World Assembly on Aging in 1982 is timely as it will follow in the footsteps of a White House Conference on Aging scheduled to be held in 1981. The White House Conference will provide the United States with an opportunity to thresh through and reassess its methods, approaches, and techniques of improving the lot of elderly people nationwide. Such deliberations can improve the ability of the United States to assist less-developed nations meet and plan for the future of their aging populations.

I believe that it is imperative that we act to sensitize our Nation's citizenry with respect to the cause of aging. It is timely to enhance communication between all Americans in order that we might all benefit from the attention that will be given to this growing population in the next several years. Indeed, a stamp commemorating the aged and the aging is a most appropriate device for focusing national attention on this most important issue, and thus build an informed and participating society.

I urge my colleagues to join me in the support of this legislation and include it in its entirety, at this point in the RECORD:

H.R. —

A Bill to provide for the issuance of a commemorative postage stamp in honor of older Americans in recognition of the 1981 White House Conference on Aging and the World Assembly on Aging to take place in 1982.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Postmaster General is authorized and directed to issue a special postage stamp in honor of older Americans in recognition of the 1981 White House Conference on Aging and the World Assembly on Aging to take place in 1982. Such stamp shall—*

- (1) have a denomination of 15 cents;
- (2) bear such design as the Postmaster General shall determine; and
- (3) first be placed on sale on September 8, 1980, and remain on sale thereafter.

SEC. 2. The Postmaster General shall solicit and consider submissions by older Americans of recommended designs in making the determination under paragraph (1) of the first section of this Act.●

#### U.S. BISHOPS SUPPORT AID TO NICARAGUA

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 19, 1980

● Mr. HAMILTON. Mr. Speaker, many Members of this body have been

watching events in Nicaragua closely since last summer. There are honest differences of opinion as to what those events mean and where they will lead. Some colleagues believe that Nicaragua is drifting into totalitarianism. Others are uncertain how the Nicaraguan political landscape will appear months from now. Still others of us express a cautious optimism that an open society in Nicaragua is possible.

A potent force on the contemporary scene in Nicaragua today is the Roman Catholic Church. The role of the Nicaraguan bishops has been one of articulate advocacy of social justice, political pluralism, freedom of expression, and human rights for the Nicaraguan people. In the fulfillment of this role they have not stood alone. Encouragement has been given to the Nicaraguan bishops by their brother bishops in many lands. Most significant is the encouragement that has come from the bishops of the United States.

The Most Reverend John R. Quinn, Archbishop of San Francisco and President of the National Conference of Catholic Bishops/United States Catholic Conference, has recently contacted the Speaker of the House and the chairman of the Foreign Affairs Committee to voice his strong support of the supplemental request for aid to Nicaragua. Archbishop Quinn's clear and eloquent letters speak for themselves. I insert them into the CONGRESSIONAL RECORD for the use and benefit of my colleagues. I urge my colleagues to consider them carefully:

NATIONAL CONFERENCE  
OF CATHOLIC BISHOPS.

Washington, D.C., February 1, 1980.

Hon. THOMAS P. O'NEILL, Jr.,  
House of Representatives,

Washington, D.C.

DEAR MR. SPEAKER: The supplemental request for Nicaragua soon to be voted upon by the House is of great importance both to the reconstruction needs of Nicaragua and to our own future relations with that country. Indeed, if the House approves the measure without further change and by a comfortable margin, that vote could well symbolize the beginning of a new and more mature relationship with all the democratic societies of the hemisphere.

In December 1979, the Catholic bishops of the United States urged the prompt passage of the Administration bill in testimony before the Senate Foreign Relations Committee. The bishops of Nicaragua have also spoken in strong support of such aid from abroad. Archbishop Miguel Obando Bravo of Managua is himself coming to the United States next week partly to convey to us the real and urgent needs of Nicaragua today.

I sincerely hope that the members will be duly sensitive to the critical opportunity that is theirs to provide essential humanitarian assistance to the people of Nicaragua, and to help assure the orderly process of the new society that is taking shape there.

With cordial good wishes, I remain

Sincerely yours in Christ,

Most Rev. JOHN R. QUINN,

Archbishop of San Francisco,

President NCCB/USCC.

NATIONAL CONFERENCE

OF CATHOLIC BISHOPS,

Washington, D.C., February 1, 1980.

Hon. CLEMENT J. ZABLOCKI,

Chairman, Foreign Affairs Committee,  
House of Representatives, Washington,  
D.C.

DEAR CHAIRMAN ZABLOCKI: I write to urge your support for the supplemental aid request for Nicaragua.

The suffering of the Nicaraguan people in their struggle with the Somoza regime left thousands dead and wounded. Despite this immense human tragedy and the accompanying devastation of the national economy, the Nicaraguan government and people are already involved in a major effort of reconstruction.

The church in Nicaragua has expressed its support for the reconstruction effort through its Bishops Conference. Archbishop Miguel Obando Bravo of Managua is coming to the United States this week at my invitation to make known in the United States the urgent needs of the Nicaraguan people.

To complement the efforts and sacrifices which Nicaraguans are making for their country they will need external assistance. It is at this early stage of the national reconstruction that external aid is most critically called for. The supplemental aid request by the President at this time, while modest in amount, will undoubtedly achieve results beneficial both to Nicaragua and to us many times over.

I urge you, Mr. Chairman, to do all in your power to resist any further conditions being placed on this aid and to assure speedy passage of this important measure.

With cordial good wishes, I remain

Sincerely yours in Christ,

Most Rev. JOHN R. QUINN,

Archbishop of San Francisco,

President NCCB/USCC.●

#### H.R. 6504—NATIONAL HERITAGE POLICY ACT

HON. BRUCE F. VENTO

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 19, 1980

● Mr. VENTO. Mr. Speaker, the National Heritage Policy Act which last week I cosponsored with Congressmen BURTON, SEBELIUS, SEIBERLING, BINGHAM, and KOSTMAYER, will increase recognition and assistance for Minnesota's efforts to protect both our cultural and our national heritage. This legislation will strengthen State planning for the protection of natural areas by recognizing the States as having the lead responsibility for inventorying and studying heritage resources. It will also establish the State as responsible for nominating areas to the proposed Register of Natural Areas, just as they are now responsible for nominating sites to the Register of Historic Places. Furthermore, it will require Federal agencies to take into account in their planning the effects of their factors on registered areas of State and local significance.

The act will particularly strengthen State natural heritage programs such as that in Minnesota, and 25 other

States across the Nation. Minnesota has already taken a lead in proper management policies for natural resources. In 1975, State Senator Gerald Willet and I succeeded in passing the Outdoor Recreation Act which provides for an inventory, reassessment, and possible reclassification of State recreation lands. The program, an outgrowth of the Project '80 Study, has allowed the government to review past land use decisions and to provide for the implementation of the most appropriate land management policies. The Minnesota natural heritage program is only 1 year old, but has already been very active and useful by contributing data to State recreation planning, to the scientific and natural areas program, and to environmental review. In conjunction with the Outdoor Recreation Act, it has and will provide a crucial data base for the proper use of the State's natural resources. Soon the program will begin to provide information on Minnesota's rare plants to the U.S. Fish and Wildlife Service.

Our State natural heritage program is equally important to intelligent development planning. This usefulness is attested to by the fact that funding to set up the Minnesota inventory of significant plant and animal communities and geologic features has come not only from conservation-oriented sources, but from the Northern States Power Co., the Minnesota Gas Co., and the Potlatch Corp. Consultants to private developers also rely on information provided by the natural heritage inventory to evaluate sites for new development such as shopping centers. In the near future the Minnesota heritage program will be studying the locations of new powerplants for the State's powerplant siting group.

The Minnesota natural heritage and cultural heritage programs both contribute to the interpretive programs of State parks. Interpretive specialists have found that in most cases, historic patterns were determined by natural region characteristics. In Minnesota we have found that linking natural and historic heritage enriches the public's understanding of both. The National Heritage Policy Act will strengthen the ties between the Nation's cultural and natural heritage programs, linking them on a policy level and organizing the natural programs to parallel the historic preservation efforts.

I am certain that this legislation will be a help to States which already have heritage programs and those desiring to start one.●

#### CRISIS IN AFGHANISTAN

**HON. PATRICIA SCHROEDER**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 19, 1980*

● Mrs. SCHROEDER. Mr. Speaker, I think this article is exceptional in its

portrayal of the feelings of most Americans regarding the crisis in Afghanistan. I request that it be included in the RECORD.

The article follows:

[From the Cleveland Press, January 26, 1980]

#### OF TIME AND THE RIVERS, AND TWO TEENAGE SONS

(By Dick Feagler)

What you do, if you've got two teen-age boys, what you do is you go to the old hutch in the family room where the set of encyclopedias is kept.

It isn't much of a set of encyclopedias. My wife got them at a supermarket a year or so ago. Each week she got a different volume. She missed the "Z's" though. The offer ran out before we got the "Z's."

Things, I'm sure, are better in the Pentagon. I imagine that in the Pentagon, if they want to look something up they have rooms full of people responsible for each letter in the alphabet. They have filing cabinets and computers and linguists who can tell them how you say "incursion" in 76 different languages.

All I have is a small set of Funk & Wagnalls with a piece missing. Fortunately, I don't need the "Z's." The very first volume is what I am after. Volume One. A to AMERI.

Afghanistan is on page 206. On the facing page is a color picture of a bus. "Afghanistan, Plate 1. Traditional artwork enhances 20th Century machinery as strikingly shown in this bus used for long-distance travel. Such elaborately decorated buses are frequently seen in the Afghan countryside."

That is very interesting, but not what I am after. I don't know really what I am after. I am responding to a vague sense of responsibility that comes these days if you've got two teen-age boys.

I would like to know the names of the rivers in Afghanistan. I see one is called the AmuDar'ya, known in ancient times as the Oxus. Then there is the Kabul, the Indus, the Helmand. I have never heard of any of them before. The question is, will I be reading about them in the papers next month? Next year?

On page 213, there is a familiar sight.

"A gigantic representation of Buddha, carved into a cliff of the Hindu Kush range is a reminder of the religious past of Afghanistan," a photo caption says. "The figure is part of the ruins of an ancient Buddhist monastery recently uncovered during excavations at Bamian."

Ah, yes, Buddhists I have seen before. Vietnam had Buddhists. Had Buddhists and rivers that got mentioned in the newspaper. Even had 20th Century machinery enhanced by traditional artwork—slogans painted in white on the sides of tanks and on the noses of helicopters.

The principal export of Afghanistan is Karakul skins, sent chiefly to the United States. I wonder what the hell we do with them. My curiosity at the moment, however, lies chiefly with the principal import. I mean besides Russians. I want to know if the principal import of Afghanistan could some day be my boys. But I can't look that up in my Funk & Wagnalls.

Time magazine troubles me. Time magazine is sounding rather warlike these days. So is Jimmy Carter but that, maybe, I can chalk up to the election year. It is Time magazine that bothers me more. It tells me that things are getting pretty grim about Afghanistan.

My God! Afghanistan! Who the hell even knew where it was a couple of months ago? It is time, I gather, for a father to interest himself in such matters as Karakul skins and cities like Kabul and Kandahar. I have never received a letter from Kandahar. Would it be un-American of me to suggest that I don't want any son of mine writing me from Kandahar?

I probably would. I don't think of myself as un-American. I think of myself as very American. I have come to believe in the free enterprise system of investment and return.

I do not believe, for instance, in risking my life or the lives of my sons. Vietnam taught me better. You do not risk your life because it is all the capital you have. This is not sound business.

You might, I believe, invest your life. You might invest it if there was a promise of good return. The last war we fought was a lousy investment. It left better than 50,000 of us totally bankrupt, which is to say, dead.

What was the return? Well, we got a stamp out of it. In the post office a month ago I saw a sign advertising Vietnam commemorative stamps. I bought 10 of them. I put them on letters that went to the car insurance company, American Express. The last one I used to mail my dues payment to the Thirteenth Street Racquet Club. That took care of \$1.50 worth of commemoration.

Time magazine tells me that we are united people now, ready to take up arms in a good cause. I have taken up a volume of my supermarket encyclopedia at midnight with my boys asleep upstairs. I have learned the names of rivers, cities and mountains.

I am calm and I am not a pacifist. I feel that I can kill the man who lays a hand on my son in exchange for a book of stamps. Time magazine should note this. Anybody interested should note this.●

#### MARY L. YUNT, OUTSTANDING WOMAN IN ORGANIZED LABOR

**HON. JERRY M. PATTERSON**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 19, 1980*

● Mr. PATTERSON. Mr. Speaker, on Thursday, February 14, Mary L. Yunt was honored by a coalition of labor, business, and community leaders in cooperation with Israel's labor federation Histadrut, for her outstanding contributions to Orange County.

Mary Yunt has been selected for this honor because of her involvement with Orange County organized labor, particularly since her selection as the secretary-treasurer of the Orange County Central Labor Council in 1979. Mary has been active in labor efforts within the county since 1964 and has proven herself to be highly dedicated and deeply committed to improving the position of labor within the county.

Mary Yunt is also well known for her involvement in political campaigning and her participation in the COPE program. Many elected representatives within Orange County have worked closely with Mary and have benefited from her ability to organize activities and encourage participation by others.

Mr. Speaker, I ask my colleagues to join with me and the community lead-

have for it is ours and ours alone to preserve. With dedication, self-sacrifice, and self-discipline, we can build a mighty wall founded on freedom, that no opposing force can begin to destroy.

Just as the mighty wave starts out as a little ripple, let me be the ripple that starts the flow of unity into a gigantic wall that comes cascading down the bed of freedom. I am a young citizen, but with the experience and training this country gives, I can become a driving and deciding force in this country's future. To know that I have a voice in the plans and decisions that will affect my future, as well as the future of those who follow me, makes me proud to be a part of this strong body of people.

This country gives a different interpretation to all who look through the pages of its history, but to those that have forefathers that helped to insure the freedoms that we have today, it means something special to them and to me.

I am a citizen, and deep within my soul I believe in the freedoms of this country, and I will do everything in my power to see that all enjoy those freedoms. I am not only willing, I am ever determined, to give whatever support my country needs from me. I want to be a full time citizen—one who is an active, involved, concerned member of this society.

Thomas Paine in *The Crisis* wrote: "Those who expect to reap the blessings of freedom must, like men, undergo the fatigue of supporting it." ●

### UNITED STATES FACES GREAT THREAT

**HON. WILLIAM M. THOMAS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 20, 1980

● Mr. THOMAS. Mr. Speaker, today, the United States faces the greatest threat to its national security since World War II. There is instability in Central and South America. Soviet troops are stationed in Cuba. Communist Vietnam pursues its imperialistic goals in Cambodia and Laos, threatening Thailand, Malaysia, and Singapore. In Africa, Cuban soldiers fight legitimate governments in the name of liberation and they bring with them Soviet advisers, weapons, and ideology.

Throughout the Middle East our embassies are besieged, invaded, sacked or burned. In Iran, our countrymen are held hostage. Some governments with whom we deal fairly provide only token protection for our diplomatic corps or none at all.

In this atmosphere of challenge, what response have we given? We have responded with words and diplomatic gestures. It is no wonder, then, that the Soviets invaded Afghanistan, for they knew they could do it with impunity.

The dangerous truth is that short of a nuclear confrontation the United States cannot respond except with words, gestures, and economic sanctions. We do not have an appropriate military option. The Soviets and all the world know it.

To divine the best course to regain our national security and international creditability, we must examine the

mistakes of the past. They were several and they were grievous.

Although the evidence was clear that U.S. Armed Forces were not attracting and retaining the needed manpower as an All-Volunteer Force, the Carter administration delayed taking action to remedy the situation until after the Soviet tanks rolled into Kabul.

Similarly, the Carter administration purposely reduced spending for defense procurement with the result that much of our Military Establishment is facing the problem of using obsolete weapons in the defense of our Nation. The Navy needs more carriers and other vessels. The Army needs to modernize many pieces of combat hardware. The Air Force needs greatly increased transport capability and more weapons across the board, from fighters to bombers. In addition, we lack the equipment and the personnel to mold into a rapid deployment force for use in situations such as the current Middle East crisis.

President Carter's foreign policy has been equally disastrous. He has abandoned friendly governments that have supported our policy aims. He has taken no action to expel Soviet combat troops from Cuba. And, he still holds hopes for SALT II Treaty ratification in the Senate. This treaty, relying on voluntary restraint by the Soviets, would reduce American defense capability in the event of nuclear confrontation.

The Soviets are not naive. They know that President Carter could not take any action to deny them Afghanistan. The prize was theirs for the taking.

This Congress must not be limited by the belated administration proposals to repair our military capability. America must rebuild. We must commission the ships and build the aircraft we need to transport a rapid strike force; we must modernize our conventional land forces and their equipment.

We must altogether cease exporting our advanced technology to Russia. The Soviets will use our knowledge and efficient design techniques to build the implements of war to subjugate their opponents and neighbors just as they did in Afghanistan.

Perhaps the one thing we can do most quickly to demonstrate our resolve is to put in place the machinery to fulfill present and future manpower strength requirements. I believe the Soviets would notice such an action and would give it more credence than a continued war of words.

While I do not favor a selective service draft such as we had during Vietnam, I do support universal registration. At present, our military strength requirements are not being met through an All-Volunteer Force. Accordingly, I believe that we must now design and implement a system of mandatory military service that will be fair in concept and fair in operation. This national service might be

civilian or military, depending on the strength requirements of the Armed Forces from time to time, and on the preference of the individuals. We must induct enough personnel to meet the needs of the Armed Forces and meet the challenges to our vital interests.

Following World War II, the United States was the dominant world power, but our monopoly on nuclear arms has been lost. Our resolve has been weakened by Vietnam, and our ability to wage conventional war has been diminished relative to the U.S.S.R. by virtue of the Soviets willingness to build the hardware sufficient to make them the dominant force in the Eurasian land mass.

We can never return to earlier, seemingly simpler days. Therefore, we must make the right decisions with wisdom and dispatch. Our friends as well as our enemies are watching the American response with much greater interest than ever before.

If we want to keep the peace, the world must know that we are prepared for war. ●

### NATIONAL HERITAGE POLICY ACT

**HON. KEITH G. SEBELIUS**

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 20, 1980

● Mr. SEBELIUS. Mr. Speaker, the National Heritage Policy Act, H.R. 6504, which I am cosponsoring with Congressman PHILLIP BURTON, chairman of the Subcommittee on National Parks and Insular Affairs, Committee on Interior and Insular Affairs, offers a new approach to the recognition of America's natural and historic heritage. Instead of a new Federal initiative, it builds on programs already in operation in most of our States. This bill does not call for any Federal acquisition, but depends heavily on private owners of important natural and historic properties to manage and use them in ways that insure they may be passed on to future generations for their use, enjoyment, and appreciation. The National Heritage Policy Act also recognizes the need for State and local governments to balance natural resources development with the American desire for clean, healthful, inspiring natural surroundings.

This act recognizes and strengthens the historic preservation programs which are now active in all States by extending the life of the Historic Preservation Fund; by establishing in law the historic and cultural activities which all Federal agencies nor perform under Executive order and by giving a legislative base to the vital role of the State historic preservation officer who is essential to the administration of the historic preservation program in every State. The historic preservation programs have been very successful in making all of us more aware of our cultural heritage as

Americans. Countless irreplaceable houses, public buildings, factories, canals, and other sites important to an understanding of our past have been saved from destruction and restored to usefulness as offices, shopping malls, and recreation areas.

Most of this has been accomplished with little more than Federal seed money and tax incentives to encourage action by private citizens and local governments. Buildings or areas which are important to local, State, or National history have been recognized by having the State historic preservation officer nominate them to the National Register of Historic Places. Once recognized, the chance of their being inadvertently harmed is reduced.

H.R. 6504 would create a similar National Register of Natural Areas to recognize outstanding natural areas of State and local or National significance. It would build on the existing National Registry of Natural Landmarks, which since 1963, has encouraged wise stewardship by both public and private landowners of nationally significant geologic and ecological areas. There are currently over 200 designated national natural landmarks in 40 States, including Kansas, owned and managed by private landowners who voluntarily protect their natural values.

Mr. Speaker, the proposed National Register of Natural Areas would be broadened to include areas of State or local significance which States participating in the program wish to nominate to the list. At the same time, the criteria for designation as a national natural landmark would be tightened to insure that only the limited number of areas which are truly important to the Nation as a whole would be so designated.

This program would place no constraints on private owners, but would recognize their efforts to protect America's heritage. The proposal does not call for acquisition, and creates no new funding programs. I believe that this proposal is sound and fiscally responsible, and that it reflects the desire of most Americans today to strengthen local and State approaches to meeting our needs. ●

#### LAETRILE AND CRUEL LAW

#### HON. LARRY McDONALD

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 20, 1980

● Mr. McDONALD. Mr. Speaker, in the nationwide battle over whether Laetrile helps cancer patients or hurts, nowhere has the battle been sharper than California. California authorities do not even want to debate the matter. Playing the role of modern day witch hunters, California authorities have jailed Dr. James R. Privitera, Jr., for his use of Laetrile. Dr. Privitera is in jail for disagreeing with the prevailing medical opinion that says burning,

cutting, or poisoning are the only answers to cancer. However, what these same people cannot show you is how these treatments have been successful in improving our cure rates. It is indeed strange that California, the anything goes State should be so doctrinaire and rigid on this subject, when it leads the Nation on all sorts of other nonconformance. However, be that as it may, columnist James J. Kilpatrick wrote an excellent column on the plight of Dr. Privitera which appeared in the Washington Star on February 14, 1980 and I commend it to the attention of my colleagues:

[From the Washington Star, Feb. 14, 1980]

#### LAETRILE AND A CRUEL LAW

(By James J. Kilpatrick)

Dr. James R. Privitera Jr., of Covina, Calif., has been convicted of an outrageous crime. He is now in prison. The U.S. Supreme Court has denied his petition for appeal. Gov. Jerry Brown has refused a pardon. But if public opinion in a free society still has influence, surely public opinion should be heard in this incredible affair.

What is the outrageous crime of Dr. Privitera? He has prescribed amygdalin, pharmacologically known as laetrile, for cancer patients. And under the law of California, this is a criminal offense.

This is precisely the kind of statute one finds in a totalitarian regime, where medical practice is dictated by the State. Under California law, cancer patients are effectively limited to (1) surgery, (2) radiation or (3) chemotherapy. They may be hopelessly, terminally ill. The California medical establishment could not care less. No "unapproved" innovations are permitted. The wishes of an informed, knowledgeable patient are immaterial.

The purpose of California's Health and Safety Code may be laudable. It is to protect the people from quacks, cultists and purveyors of snake oil. Up to a point, laws intended to prevent the people from acting foolishly may be tolerated. Beyond that point, the right of the people to be wrong must constantly be protected. In the matter of laetrile, California has tossed that fundamental principle out the window.

Dr. Privitera is no quack. He is a licensed medical doctor who received his M.D. degree from the Creighton University School of Medicine in Omaha. He interned at Providence Hospital in Seattle and at Presbyterian Hospital in San Francisco. In 1970 he entered private practice in allergy and nutrition.

His practice led him to an interest in the properties of amygdalin, in combination with enzymes and vitamin therapy. He was encouraged by the results he was getting. Then, in October 1974, he was given treatment ordinarily reserved for armed robbers: Police arrested him in the middle of the night, put him in handcuffs and took him to jail on a conspiracy charge—conspiracy to prescribe an unapproved medicine. A Superior Court Judge in San Diego threw that charge out of court, but the harassment continued.

The state brought a second charge against him, and this time got a conviction and a sentence to six months in jail. In the Fourth District Court of Appeals, Judge Robert Stanforth wrote a masterful opinion holding the California statute unconstitutional. The state appealed, and Dr. Privitera lost 5-2 in the state Supreme Court. Chief Justice Rose Elizabeth Bird adopted Stanforth's opinion as her own dissent. Let me quote from that opinion:

"So long as there is no clear evidence that laetrile is unsafe to the user, I believe each individual patient has a right to obtain the substance from a licensed physician who feels it appropriate to prescribe it to him \* \* \*.

"The issue here is human liberty. Can the informed cancer-ridden patient be limited in choice of treatment to 'state sanctioned' alternatives? \* \* \* the right to control one's own body is not restricted to the wise; it includes the 'foolish' refusal of medical treatment \* \* \*. To require the doctor to use only orthodox 'state-sanctioned' methods of the treatment under the threat of criminal penalty for variance is to invite a repetition in California of the Soviet experience with 'Lysenkoism.' The mention of a requirement that licensed doctors must prescribe and treat within 'state-sanctioned' alternatives raises the specter of medical stagnation at best, statism, paternalistic Big Brother at worst \* \* \*.

"The evidence in this case shows without exception that the cancer victims were knowledgeable persons fully aware of the 'state-sanctioned' alternatives. These are not wide-eyed country bumpkins asking to be conned. They felt the imminency of death."

Under these circumstances, said the dissenters, to imprison a doctor who is willing to try an unapproved drug with the consent of his patient reaches "a new depth of inhumanity." I cannot, for the life of me, comprehend the cruelty of the California law. ●

#### THE GROWTH OF GOVERNMENT REGULATIONS—A NEW FORM OF TYRANNY

#### HON. RICHARD KELLY

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, February 20, 1980

● Mr. KELLY. Mr. Speaker, the growth in the nature and extent of Government regulations has sapped the vitality of the American free enterprise system and have undermined the fundamental integrity of every individual's freedom. Unquestionably, the growth of Government regulations during the past two decades constitutes an ever-increasing threat to the most basic premises on which rests American political and economic life. The world in which our children were born is fast passing from the scene and a new era is beginning to dawn, an era as unprecedented as it is menacing.

Without question, a dramatic change has taken place in the nature and purpose of regulatory bodies within the last one and a half decades. Until then, the purpose of Federal regulations in the United States was largely limited to the control of abuses in the economy, the ordering of essential public services, and the guaranteeing of competition in the marketplace. Today, that focus has shifted away from the economic sector and has grown to encompass all aspects of the social sector. To an extent unimaginable only 20 years ago, Government regulations have intruded into all areas of human life and most indications point to even greater involvement. Indeed, the overriding tendency seems designed to satisfy a growing



expansions to double the number of subscribers.

From time to time, the factors of heritage and circumstance will produce a Robert Edison Eaton—a person of great intelligence, courage and self-discipline balanced with a strong sense of fair play and remarkable insight into human frailty. He did not set out to be chairman of anything. He was motivated to see things done and the leadership posts were thrust upon him because he was capable and willing.

Service counted much with Bob. He lived by a personal code most of us could not meet; he worked hard; he paid his own way; he played fair; he dared to try new ways; and then he went just a little extra to help the rest of us.

The Board of Directors and the staff extend sincere sympathy to Marilyn and the family.●

### MISSISSIPPI'S VOICE OF DEMOCRACY WINNER

**HON. DAVID R. BOWEN**

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 26, 1980*

● Mr. BOWEN. Mr. Speaker, it is with great pride that I share the following theme written by Lauren Claire Stewart of Eupora, Miss., on the subject of "My Role in America's Future" with the Members of the House.

Lauren's theme was chosen to be the best one of the Mississippi participants in the Veterans of Foreign Wars Voice of Democracy contest. She will compete with the other State winners for a national scholarship this March.

Mr. Speaker, Lauren's theme follows:

#### MY ROLE IN AMERICA'S FUTURE

The wisdom of yesteryear affects the knowledge of tomorrow; the youth of today become the leaders of tomorrow. To be effective leaders, however, we must look back to our forefathers, the men who made this nation great.

We must look to men like George Washington, who, because of his honesty, became our first President.

We must look to men like Thomas Jefferson, who wrote the Declaration of Independence.

We must look to men like Abraham Lincoln, the 16th President of the United States. He is one of the greatest leaders this Country has ever had. He was strong-willed and determined. He stood up for what he thought was right, no matter what the world around him was saying. He set high goals and would work to reach them.

Carl Sandburg described him best in this way, "Not often in the story of mankind does a man arrive on earth who is both steel and velvet, who is as hard as a rock and as soft as a drifting fog; who holds in his heart and mind the paradox of terrible storm and peace unspeakable and perfect."

Lincoln was a conservationist—he had to be—because of the times in which he lived. He realized the situation and he made the compromise and sacrifice to help it out. We too need to conserve just about everything, because of the times in which we live. Because of our people being so accustomed to the "land-of-plenty" though, we use and use and use, knowing it can't last forever; yet not willing to sacrifice to do anything about it.

We must, today, learn how to be a free people. We must live not only as individuals,

but also for the group. We must live and work in such a way that it will benefit the nation as a whole and not just ourselves.

In our Pledge of Allegiance, we call ourselves "one nation under God with liberty and justice for all." Our forefathers fought with every ounce of strength in them for this nation with liberty and justice for all. They had to give up a great deal and many gave their lives. We too must be willing to sacrifice for the good of our country.

I hope to uphold the pledge that I have repeated so often, and stand up for what I think is right. I also hope that I am never satisfied with anything I do, because, if I am ever satisfied, I'll not have any reason to try to make things better and I'll never have anything to work for.

My main goal in life is to always have a dream. My role in America's future, is to make that dream a reality; To be the best that I can be and hope that someone else will benefit from it.

This excerpt from a song written by Natalie Sleeth really expresses my thoughts.

"I hope that where I travel,  
They will say of me one day,  
That it somehow made a difference  
That I passed this way."●

### INDIVIDUAL RETIREMENT ACCOUNT DEDUCTION MUST BE INCREASED

**HON. FRANK J. GUARINI**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 26, 1980*

● Mr. GUARINI. Mr. Speaker, today I am introducing legislation which would amend the Internal Revenue Code of 1954 to increase to \$7,500 the maximum deduction for contributions to retirement savings.

Individual retirement accounts began in 1975, pursuant to the Employee Retirement Income Security Act of 1974, and have been an excellent means for workers not covered by pensions to provide for their retirement.

Under current law, an individual may deduct the lesser of 15 percent of gross income or \$1,500 in contributions to an individual retirement account. This is inadequate in light of double digit inflation.

In addition, many workers now in their middle years have shouldered the expense of raising and educating their children and are only, in middle age or later, able to set some income aside for retirement. Others, who are close to retirement, have only had the benefit of the 1975 change in law permitting IRA's for a few short years. They find that in these times of runaway inflation what little they have been able to set aside will not be enough to sustain them in their golden years.

Given the complexity of many pension plans, the fact that many workers will never be covered by a pension because of lengthy vesting provisions and the mobility of Americans in our contemporary lifestyle, it would appear that pension portability is another problem begging a solution. IRA's may be an answer, provided that the deduction is sufficiently liberal.

Since enactment of ERISA in 1974,

we have had an opportunity to monitor the implementation of the law and its inadequacies. Many of us are also concerned about providing sufficient financial resources to sustain a population which is growing increasingly older.

Many of us have become disenchanted as well with the amount of government intervention into our lives. We are shocked by the cost of government as caretaker. But if we wish to provide an alternative, then it is essential that government provides the means for individuals to take responsibility for this phase of their lives. Increasing the deduction for IRA's is one way to do this.

I would note in closing that many of us in Congress are interested in stimulating capital formation. It has occurred to me, as I am certain it has to others, that the IRA's which bear substantial penalties for early withdrawal of the funds, are a logical method of increasing capital available to industry. An increase in the IRA deduction would assist workers in preparing for their retirement and spur capital formation as well.●

**GEORGE L. AGUIRRE**

**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 26, 1980*

● Mr. RANGEL. Mr. Speaker, I would like to publicly congratulate a constituent of mine, Mr. George Aguirre, for being named by the President to the Advisory Committee on Personnel for the Executive Office of the President.

Mr. Aguirre is the program officer of the Exxon Education Foundation, and his appointment will make him the only Puerto American to serve on the Committee. He is very active in community affairs, and his commitment to the community can be seen in the activities that he has undertaken in New York, including membership on boards of the American Red Cross of Greater New York, El Museo del Barrio, the National Conference of Christians and Jews of New York, and many others. I know that Mr. Aguirre will serve ably on this Advisory Committee, and provide the type of leadership that this Nation is proud of.●

### THE NATIONAL HERITAGE POLICY ACT

**HON. MORRIS K. UDALL**

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, February 26, 1980*

● Mr. UDALL. Mr. Speaker, I am pleased today to cosponsor the administration's National Heritage Policy Act, H.R. 6504. This bill would provide increased support for current State and local efforts to recognize and conserve the most important examples of

America's historic and natural heritage. These State and local programs focus on areas of special archeological, historic, geologic, or biologic value; taken together these areas represent the heritage of the community, the State, or the Nation. These are the places that give us our identity, the places we would like to have our grandchildren know and enjoy.

Private organizations and all levels of government now operate heritage resource programs. This national program is not an effort to override or supersede any of these efforts. Instead, it would help coordinate these programs by providing timely exchange of resource information between government and private agencies as well as private developers who need solid information so they can meet their planning and environmental requirements.

This is a national program that relies heavily on the States. H.R. 6504 would help develop a network of cooperating State natural heritage programs parallel and similar to existing State historic preservation programs. More than 20 States, including my own State of Arizona, already have natural heritage programs. Many others have indicated an interest in establishing their own, and this bill would help them to do so.

All 50 States have historic preservation programs. These would be bolstered by extending the historic preservation fund authorization for years and by statutorily establishing for the first time the position of the State historic preservation officer.

I wish to emphasize that this proposal would not authorize any new Federal land acquisition authority. Such authority is not needed, nor is it desired by Western States, such as Arizona, that already have large portions of their lands in Federal ownership.

What the administration's bill would do is facilitate the efforts of a State, local, and private entities to preserve irreplaceable areas in the manner they think is best.

H.R. 6504 would generate closer cooperation between the Federal Government and those States that voluntarily opt to create a natural heritage program in the collection and use of information about what and where these resources are. Working through the State natural heritage officer, who would be appointed by the Governor, Federal agencies would be instructed to cooperate with the States in locally defined efforts to plan for the protection of the region's heritage.

It is absolutely essential to States such as Arizona that these information exchange pathways be clearly defined. These States are growing, attracting new residents and business. Developers need information about where critical resources are so that they can better locate and plan their projects and meet State, local, and Federal requirements. Often, this information is difficult and expensive to acquire or disseminate.

Together, the State natural heritage and historic preservation programs offer the kind of one-stop information shopping that will help both Federal and private developers proceed more quickly and at less expense.

Of course, this bill is not the last and only word on how to go about creation of a national heritage program. Historic preservation groups, conservations, business and industry, the States and other groups all have an important stake in this matter, and will undoubtedly have ideas of their own to contribute. But the administration has given us an excellent starting point and I commend it for its good work.●

#### THE 1979-80 VOICE OF DEMOCRACY SCHOLARSHIP PROGRAM

HON. RONNIE G. FLIPPO

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, February 26, 1980

● Mr. FLIPPO. Mr. Speaker, it is indeed an honor for me to share with you the inspiring words of Miss Alyssa S. Ashley of Killen, Ala. Her remarks would be the winning ones for the State of Alabama in the 1979-80 Voice of Democracy scholarship program sponsored by the Veterans of Foreign Wars.

The Voice of Democracy scholarship program has been an important educational program over its 33-year history in bringing our young people to think about citizenship and what it means. More importantly, a lasting record is left of what young Americans think in the winning essays. The students have a worthy incentive to participate through the scholarships which are awarded each year. Last year the total monetary value of scholarships and awards amounted to over \$575,000.

This year, more than one-quarter million students at over 8,000 schools participated. Sponsoring the Voice of Democracy program are over 4,400 VFW posts and 3,600 auxiliaries with the cooperation of 2,400 radio and television stations nationwide.

I am proud that Alyssa S. Ashley of my home county of Lauderdale was selected the State of Alabama winner. I know her parents, and my friends, Charles and Louise Ashley are proud of her accomplishment. Alyssa, a sophomore at Mars Hill Bible School in Florence, Ala., has shown her insights as a writer in this essay. Her talent as a writer and her interest in music have led to success as a songwriter as this young woman has a contract in Nashville for her song, "Until Today."

The eloquence of her entry in the Voice of Democracy competition speaks for itself and is submitted here so that I may share it with my colleagues:

An aged philosopher lived at the foot of a mountain near a small, isolated hamlet. For years his wisdom had been known through-

out the region. But, on this particular day, a young man filled with egotism was preparing a challenge. He had captured a small bird and held it firmly in one hand behind his back. He would ask the old man, "Is it alive or is it dead?" If the answer was "dead", he would release the bird and let it fly away. If the answer was "alive", he would crush the bird in his hand before revealing it. Confidently, he strode up to the sage and asked, "Old man, is it alive, or is it dead?" There was a pause . . . and the old man replied, "It is what you wish it, my son."

So it is with my role in America's future. It is what I wish it to be. Unlike countless millions whose poverty plagues them to a devastatingly barren future, my role for the future is what I wish it to be, for the bounty and plenty of this nation provides me with countless opportunities. Abraham Lincoln went from a rail-splitter to the Presidency. Walt Disney went from copyboy, to garage artist, to the world's premier entertainer of young and old. "Bear" Bryant went from a skinny kid amidst a household of children in Moro Bottom, Arkansas (with nails driven in his only pair of shoes to double as football cleats) to a Southern legend whose mere endorsement could probably sell half a million shoes.

Unlike countless millions whose religion or caste dooms them to a future where improvement is not possible, my role for the future is what I wish it to be, for the nation to which I owe my allegiance erects no barriers to those who hold different views or rise from diverse cultures. Baptists, Jews, Catholics, Quakers, Muslims, and Mormons have risen to heights of greatness as Americans that would have been impossible in other parts of the world. An Einstein was unwanted in Germany. No Christian could ever contribute in a Communist or Arabic nation. No black can excel in South Africa. Here, it is different.

Unlike countless millions imprisoned by iron and bamboo curtains who are unable to chart their own destiny because of governments that determine what their occupations will be, where they will live, and what they are allowed to do, my role in the future is what I wish it to be because my government believes every citizen has a responsibility for his own destiny and each soul can reach for the most distant star and the most impossible dream.

Yes, unlike millions of others, my role in the future is what I wish it to be and, for that reason, I wish my role to be found in four principles. The "W" in "wish" stands for "worthiness", for I wish my role to be worthy of the blessings I enjoy. To do so, I must be a good citizen. I must vote. I must be concerned about my community, my state, my nation. I must defend the rights of others to hold views opposite my own, for one who will not grant freedom to others does not deserve it himself. The "I" is for "individual" for I wish my role in America's future to be a personal one. I cannot be lost in a sea of spectators passively watching from the sidelines of life. I must be involved. I must work for a better world. I must be myself, for no greater tragedy can befall an American than for them to be nothing but a carbon or a stereotype. Our greatest strength as a country lies in the fact that we have a diversity of opinion and a diversity of people. The character and destiny of our nation that was hammered out on the forge of revolution was that the individual himself is important—that what he does and feels is the mettle that solidifies our will. The "S" represents "service", for I wish my role in the future to be punctuated with usefulness to others. Our country has ever been aware of the community of man, of the need to lend a helping hand to

H.R. 6666. A bill to revise the laws relating to the Coast Guard Reserve; to the Committee on Merchant Marine and Fisheries.

By Mr. ROBERTS (for himself, Mr. CLAUSEN, and Mr. JOHNSON of California):

H.R. 6667. A bill to amend the Federal Water Pollution Control Act relating to authorization extensions and industrial cost recovery; to the Committee on Public Works and Transportation.

By Mr. SKELTON:

H.R. 6668. A bill to amend the Federal Civil Defense Act of 1950, to provide for an enhanced civil defense program for fiscal years 1981 through 1987, and for other purposes; to the Committee on Armed Services.

By Mr. STARK:

H.R. 6669. A bill to amend the Second Liberty Bond Act to increase the interest rate on U.S. savings bonds; to the Committee on Ways and Means.

By Mr. WEAVER (for himself, Mr. BROWN of California, and Mr. SEIBERLING):

H.R. 6670. A bill to provide a voluntary system of registration for the military draft and to reinstitute a mandatory registration system whenever the President declares a national emergency with respect to a threat to our national security or there is a declaration of war; to the Committee on Armed Services.

By Mr. BRADEMAS (for himself and Mr. THOMPSON):

H. Con. Res. 291. Concurrent resolution expressing the sense of the Congress with respect to taxing social security benefits; to the Committee on Ways and Means.

#### ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 1053: Mr. WINN, Mr. WHITEHURST, Mr. HOPKINS, Mr. COELHO, Mr. ROBERT W. DANIEL,

JR., Mr. ERLBORN, Mr. PASHAYAN, Mr. HYDE, Mr. OTTINGER, Mr. ROUSSELOT, Mr. HALL of Texas, Mr. FISHER, Mr. CAVANAUGH, Mr. JEFFORDS, Mr. LUNGREN, Mr. EVANS of Georgia, Mr. GUDGER, Mr. WILSON of Texas, Mr. BURGNER, Mr. MILLER of California, Mr. CLEVELAND, Mr. LEACH of Iowa, Mr. GRISHAM, and Mr. DERWINSKI.

H.R. 3439: Mr. TAUKE, Mr. BEDELL, Mr. MOFFETT, Mrs. SPELLMAN, Mr. WIRTH, Mr. LEHMAN, Mr. HINSON, Mr. MITCHELL of Maryland, Mr. LEACH of Iowa, Mr. WEISS, Mr. JACOBS, Mr. BUCHANAN, Mr. FAZIO, and Mr. STACK.

H.R. 3567: Mrs. COLLINS of Illinois.

H.R. 4565: Mr. BEVILL, Mr. HEPTTEL, Mr. HUCKABY, Mr. LEDERER, Mr. GLICKMAN, Mr. SANTINI, Mr. DAN DANIEL, Mr. GOODLING and Mr. SKELTON.

H.R. 4646: Mr. ANDREWS of North Carolina, Mr. ASHBROOK, Mr. BEDELL, and Mr. VOLKMER.

H.R. 5496: Mr. DUNCAN of Tennessee, Mr. WINN, Mr. PICKLE, Mr. LAGOMARSINO, Mr. HUGHES, Mr. JEFFORDS, Mrs. BOGGS, Mr. RITTER, Mr. ASPIN, Mr. JENNETTE, Mr. BROWN of California, Mr. BEARD of Rhode Island, Mr. DE LA GARZA, Mr. THOMPSON, Mr. FROST, Mr. EVANS, of the Virgin Islands, Mr. STRATTON, Mr. LOWRY, and Mr. WYATT.

H.R. 5858: Mr. ROBERT W. DANIEL, JR., Mr. EVANS of Georgia, Mrs. FENWICK, Mr. JOHNSON of California, Mr. LUNDINE, and Mr. ROE.

H.R. 5914: Mr. KEMP, Mr. MITCHELL of Maryland, and Mr. STARK.

H.R. 6063: Mr. CHAPPELL.

H.R. 6078: Mr. BAILEY.

H.R. 6089: Mr. BENJAMIN, Mr. JONES of Tennessee, and Mr. MILLER of Ohio.

H.R. 6150: Mr. PEPPER, Mrs. CHISHOLM, Mr. MOAKLEY, Mr. WEISS, Mr. HORTON, Mr. MITCHELL of Maryland, Mr. LAFALCE, Mr. RAHALL, Mr. ROSENTHAL, Mr. CHARLES H. WILSON of California, Mr. SCHEUER, Mr. RANGEL, Mr. JOHNSON of California, Mr. AKAKA, Mr. DOWNEY, Mr. CORRADA, Mr. MOTTI,

Mr. BROWN of California, Mr. EVANS of the Virgin Islands, Mrs. COLLINS of Illinois, Ms. MIKULSKI, Mr. SOLARZ, Mr. STOKES, Mr. FAUNTROY, and Mr. SIMON.

H.R. 6345: Mr. LAGOMARSINO, Mr. BOLLING, Mr. MCKINNEY, Mr. KILDEE, Mr. CORCORAN, Mr. HOPKINS, Mr. LUJAN, Mr. KRAMER, Mr. GREEN, Mr. BRODHEAD, Mr. CAVANAUGH, Mr. BINGHAM, Mr. WALKER, Mr. BARNES, Mr. PICKLE, Mr. PASHAYAN, Mr. BUTLER, Mr. PRICE, Mr. LUNGREN, Mr. PANETTA, Mr. SAWYER, Mr. WOLPE, Mr. BENNETT, Mr. PURSELL, Mr. PEASE, Mr. BURGNER, Mr. DASCHLE, and Mr. OTTINGER.

H.J. Res. 395: Mr. GIBBONS, Mr. SHELBY, Mr. GINGRICH, Mr. LIVINGSTON, Mr. ROBINSON, Mr. MOORHEAD of California, and Mr. VANDER JAGT.

H. Con. Res. 275: Mr. WHITTAKER, Mr. BUCHANAN, Mr. GUYER, Mr. COLLINS of Texas, Mr. JEFFORDS, and Mr. ADDABBO.

H. Con. Res. 281: Mr. BUCHANAN, Mr. EVANS of Georgia, Mr. GUYER, Mr. HYDE, Mr. MADIGAN, Mr. PICKLE, Mr. WAMPLER, Mr. YATRON, Mr. CORMAN, Mr. DAN DANIEL, Mr. FISH, Mr. HANCE, Mr. JENNETTE, Mr. KINDNESS, Mr. LAGOMARSINO, Mr. LUKE, Mr. NICHOLS, Mr. SCHEUER, Mr. VENTO, Mr. WOLPE, Mr. LUNDINE, Mr. WON PAT, Mr. BURGNER, Mr. FASCELL, Mr. MURPHY of New York, Mr. NOLAN, and Mr. WHITTAKER.

H. Con. Res. 282: Mr. PEASE and Mr. FITHIAN.

H. Res. 547: Mr. DOWNEY, Mr. ROE, Mr. HUTTO, and Mr. TAUKE.

#### DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 4973: Mr. BUCHANAN.

H.R. 5424: Mr. CAMPBELL.



condemning Israel's administration of the West Bank and Gaza.

This latest U-turn in the United Nations by the United States is all the more puzzling because twice in the last year, the United States had abstained on similar less extreme resolutions, explaining that during delicate negotiations on the West Bank and Gaza it wanted to take a neutral stance—seeking not to inject irritants in the process.

The bungled vote in the United Nations on March 1 sent a new signal to Israel and the Arab nations in the troubled Middle East. The Carter administration, in effect, was repudiating its own efforts achieved through the Camp David accords. By supporting the Arab resolution at the United Nations, and reversing previous U.S. policy, the United States has further damaged its credibility with Israel and undermined the delicate Egyptian-Israeli autonomy negotiations and encouraged those Arab States opposed to the Egyptian-Israeli peace process.

The President has now disavowed the vote cast by the U.S. Ambassador to the United Nations, and Secretary of State Vance has assumed all blame for this mistake. However, the damage has been done. It is an embarrassment to the United States, and only underscores what apparently has become a mainstay of Carter foreign policy—punish our friends and reward their enemies. Let us hope the chances for Middle East peace have not been similarly bungled.●

### NATIONAL NATURAL LANDMARKS

**HON. BRUCE F. VENTO**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1980

● Mr. VENTO. Mr. Speaker, I wish to call to my colleagues' attention the following article appearing in the March issue of the National Parks and Conservation magazine. Written by Chris Delaporte, Director of the Interior Department's new Heritage Conservation and Recreation Service—HCRS—the article details substantial improvements which HCRS has made in the national natural landmarks program since the agency assumed this responsibility 2 years ago.

On March 17 and 18, the House National Parks and Insular Affairs Subcommittee will consider legislation prepared by the administration which proposes further and significant reforms in the landmarks program. That legislation, the National Heritage Policy Act, H.R. 6504, has been introduced in the House by Congressman BURTON and cosponsored by me with Congressmen UDALL, SEIBERLING, KOSTMAYER, BINGHAM, FLORIO, and SEBELIUS.

I congratulate HCRS for its improvements in the landmarks program.

The article follows:

#### PROGRESS AND PROSPECT: A REPORT ON THE NATIONAL NATURAL LANDMARKS PROGRAM

(By Chris Therrell Delaporte)

The Heritage Conservation and Recreation Service was criticized in the March 1979 issue of National Parks and Conservation Magazine for its failure to deal adequately with the National Natural Landmarks Program. By late 1978, there was a large backlog of potential landmarks awaiting the necessary review. NPCA's criticism was valid, and in my letter to the Association (NP & CM, June 1979) I outlined the steps we were taking to streamline the process and reduce the backlog. The purpose of this article is to report to you the results of our efforts, and to consider the landmark program's future.

In retrospect, we now recognize that our backlog problem resulted in part from the study/review/designation process that had evolved in the landmarks program. The process consisted of four steps.

1. Natural history studies were conducted in the 33 designated natural regions of the 50 states, Puerto Rico, and our island dependencies. These studies produced lists of potential National Natural Landmarks (NNLs).

2. Each of those potential NNLs (except where common knowledge or familiarity made it superfluous) was then inspected by an outside expert, who then would recommend to HCRS those sites judged worthy of NNL status.

3. Those recommended sites would then be reviewed by the National Park System Advisory Board, and the sites it approved would be sent to the Secretary of the Interior.

4. The Secretary would approve or disapprove the nomination.

This process had several delay-causing weaknesses. For one, as increasing numbers of studies were completed, the number of potential NNLs grew apace. Site visits were a major bottleneck, as limited budgets and the large amount of time required to inspect numerous widely scattered sites seriously slowed the review process. Some of the site reports were of low quality, causing additional loss of time in gathering and checking data. And finally, the Advisory Board met infrequently.

By January 1979 the backlog of potential NNLs stalled at various points in the process was approximately 1,700 and growing. Our small NNL staff and the resources at its disposal were overwhelmed, and matters were getting worse. Clearly, without a major change the processing and nominating of landmarks would fall farther and farther behind.

In January 1979 I ordered an agency-wide concentration on this problem. This temporary, ad hoc effort was to eliminate the existing backlog while at the same time changing our review process so as to streamline it and make it more efficient.

Recognizing the sources of delay in our existing procedures, we streamlined the process by making three basic changes:

First, we eliminated the requirement that every potential landmark be personally inspected onsite by an expert in the appropriate natural science field. It was assumed that sufficient data for making a decision on a site would usually be obtainable in the parent natural history study, in published material, and through the personal knowledge of eminent professionals.

Second, we eliminated the Advisory Board review. The Board does not necessarily consist of professional natural scientists, so it had not served as a scientific review panel. The preparation of documents and the infrequency of the Board's meetings consumed time and resources that I thought

would be better used if dedicated to a consideration of the potential landmarks themselves.

And third, the job was assigned to our eight field offices, with overall coordination assigned to the NNL staff in Denver. I made the processing of potential NNLs a high priority for each HCRS Regional Director, and ordered that they assign adequate personnel to this project for the five or six months necessary to complete it. Coordinators were appointed in each region, and each received special training in the landmarks program and the task at hand.

An initial review and screening of the potential NNLs revealed some duplication of sites and some errors in counting. Additionally, in some cases more than one site could logically be combined in one, and in others an obvious lack of landmark quality permitted their elimination from further consideration. As a result of this consolidation and screening, approximately 1,400 potential landmarks remained to be studied and decided on, rather than the previously assumed figure of 1,700.

Although the accelerated procedure varied—as determined by each region's number of potential landmarks to be reviewed, its available personnel, and other high-priority tasks that had to continue—it consisted essentially of the following steps.

In place of the site-by-site inspection, each regional director convened groups of outside experts in appropriate natural science disciplines to review the potential landmarks. They were sent the available data on each site and then met in groups to discuss them. They then made individual recommendations to us on whether or not each site should be a national natural landmark. This phase was completed on schedule in July.

Next, the NNL staff in Denver reviewed those recommendations and made its own recommendations to me. Approximately 15 percent of the sites that went through this process were judged to meet the criteria for landmarks. I have already recommended 31 of them to the Secretary. About 50 percent of the sites were judged as not meeting the criteria, and their rejection was recommended.

In the case of the remaining 35 percent we found that we lacked sufficient data to make a positive or negative recommendation. The data and resource description on a given site that had been available to the consulted experts—from the pertinent natural history study, from other sources, and from their firsthand experience—were simply inadequate for making the necessary qualitative decision. Lacking the funds and time necessary to make on-site inspections, which in most cases would have provided the necessary data, decisions on these sites were deferred.

The first 31 sites to complete this process and to be nominated for approval as NNLs were sent to the Secretary of the Interior in January 1980. The near term result of our accelerated processing project is expected to be about 150 to 200 new natural landmarks. Similarly (assuming the same 50 percent rejection rate), the approximately 500 sites on which decisions have been deferred will—at such times as site visits can be made or other data gathered—produce 200-250 more designated natural landmarks.

I am not satisfied with this block of deferred sites. I had wanted the complete elimination of the backlog that existed one year ago. In these 500 or so cases, however, we were faced with making a decision with inadequate data or making no decision at all. Given, on the one hand, the importance of maintaining the integrity and high quality of NNLs by designating only those areas that clearly meet the criteria, and, on the other hand, our reluctance to reject a site

that might later prove to have been eligible, the staff decided that a deferred decision was the most prudent one. I concurred in their judgment.

We learned a lot from our experience in processing those 1,400 sites, and that experience is already reflected in program improvements. The major results of our experience are the new National Natural Landmarks Program regulations. These became effective on an interim basis with their publication in the Federal Register of November 20, 1979. For the first time since the program was created in 1963, these regulations publicly describe the process used to study, designate, register, and monitor NNLs. They also spell out the criteria that a site must meet in order to qualify. I don't intend for these regulations to be static; they will continue to evolve in an effort to have the most efficient way of identifying and establishing landmarks. But we must be careful not to sacrifice integrity in the selection process in order to gain efficiency in processing.

Another significant innovation that arose from our experience last year—and that is manifested in the regulations—is that notification will be made to the private or public owners of potential landmarks, to local and state officials, and to members of Congress. Notification will occur when a potential landmark is being evaluated by consulted experts and HCRS staff and when the site is designated an NNL by the Secretary. At each stage there is an opportunity for public comment.

The independent review by outside scientists proved valuable and will be a permanent procedure. The large number of deferred sites from our recent exercise shows conclusively, however, that the independent review must be supplemented and preceded in many cases by on-site visits. The regional staffs proved invaluable in reducing the backlog and will continue their review function, with high priority being given to site visits or other data gathering on the deferred sites.

There are approximately thirty natural history studies currently underway or soon to start, and these studies will identify many hundreds of potential NNLs within the next several years.

These studies, which deal with the ecological and geological resources of the thirty-three natural regions, have served us well, as witness the excellent NNLs currently being designated. But an exciting program currently being adopted by individual states presents a marvelous opportunity to the NNL program as the present round of studies comes to an end. Generally known as natural heritage programs, and already operating in more than twenty states, their fundamental purpose is the scientific, systematic, and continuing collection of data on the state's natural features, especially its flora and fauna. The data (whether from published sources, existing collections, or new field research) are systematically organized and stored. This data system, as well as the nomenclature used, is common to most of the states with natural heritage programs and is rapidly developing into a multistate data base. In some of these states the heritage programs have already become the most complete source of knowledge on their states' natural ecosystems.

Although these data bases are being used increasingly as effective sources for such state and private planning purposes as the A-95 clearinghouse reviews required by the Office of Management and Budget, the preparation of environmental impact statements, and predevelopment planning, a major intended purpose of the state natural heritage program is to identify the species and communities that are most in danger of

extirpation within the state, and to provide the data to determine priorities for preservation action.

The scientific knowledge from these state heritage programs is similar to the data provided by the landmark program's natural history studies, the main differences being that it is collected on a state-by-state basis rather than on a natural region basis, and can be aggregated as a multistate data base, and that it is generally more detailed and specific. These state programs have the capacity to scientifically compare the occurrences of particular resource types within a state, a comparison that cannot usually be made today. Such a comparison, applied to the NNL process, would make the nomination more objective and assure the high quality of new landmarks. The states themselves would be able to make NNL recommendations directly from this comprehensive data base. Thanks to the quality of the heritage program data, and nominations coming out of it, HCRS would probably find the need for site visits and additional information less than what it is now.

This is only one of the many expected benefits to state and federal conservation, preservation, and planning efforts from these state programs and is why President Carter and the Secretary of the Interior have proposed the National Heritage Policy Act.

Introduced in the Senate by Senator Jackson as S. 1842, this act would, among other things, encourage the state heritage programs to nominate potential NNLs to HCRS. Also, it would provide direct federal protection to National Natural Landmarks for the first time. Under the proposed act, prior to any federal undertaking that would adversely affect any national natural or historic landmark, the federal agency involved would have to determine that no prudent and feasible alternative exists and would have to take steps to minimize the harm.

I am extremely proud of the way HCRS regional staffs and the NNL staff responded to some difficult demands I made of them, and we can all be pleased with the results. There are (or soon will be) about 150 to 225 newly designated NNLs, and the entire landmark program has been streamlined and made more efficient.

I appreciate NPCA's concern for and attention to the National Natural Landmarks Program, and I am pleased to be able to report the results of our efforts to raise the program to the priority it deserves.

(Chris Therall Delaporte served as executive director of the North Georgia Mountains Authority from 1969 to 1972. From 1972 to 1978 he was director of Oklahoma State Parks. Delaporte was appointed director of the Department of the Interior's Bureau of Outdoor Recreation in 1977 and became the first director of the Heritage Conservation and Recreation Service in January 1978.)

#### TRIBUTE TO SISTER ELIZABETH CORY, OSF

HON. JAMES J. FLORIO

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1980

● Mr. FLORIO. Mr. Speaker, I would ask my colleagues to join with me today in paying tribute to Sister Elizabeth Corry, OSF. Sister Elizabeth's friends and colleagues will gather next Wednesday to honor her for 31 years of service to her fellow man as a sister of Saint Francis.

Born and raised in Jersey City, Sister Elizabeth received her bachelor of science from Fordham University and her masters degree in hospital administration from Columbia University. She joined the staff of Our Lady of Lourdes as assistant administrator in 1964 and was elevated to the post of administrator in 1969. In 1978 she assumed the position of executive director whose duties entail acting as the chief of overall operation of the hospital. Sister Elizabeth is a past president of the New Jersey Catholic Hospital Association and is at present a trustee of the New Jersey State Hospital Association.

As executive director of our Lady of Lourdes Hospital, Sister Elizabeth has demonstrated her commitment to the availability of superior health care for all persons. As a sister of Saint Francis, she has demonstrated her personal commitment to the guiding principle in the life of Saint Francis; namely, a reverence for all life.

#### GASOHOL: QUESTIONS AND ANSWERS

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 5, 1980

● Mr. HAMILTON. Mr. Speaker, Hoosiers in all 19 counties of the Ninth District are talking about the energy problem and possible solutions to it. Here are some of the questions they have asked me about gasohol:

#### WHAT IS GASOHOL?

The term gasohol usually refers to a blend of 10-percent alcohol and 90-percent conventional gasoline. Used in cars as an alternative to pure gasoline, gasohol achieves about as many miles per gallon with slightly better performance. Alcohol fuels are not new. Some of the earliest automobiles ran on them, and during the 1930's and World War II the use of gasohol was widespread because of the shortage of petroleum. After the war, gasohol was dropped in favor of gasoline produced from cheap, readily available crude oil. A decrease in the availability of crude oil has renewed interest in alcohol fuels.

#### HOW IS ALCOHOL PRODUCED?

The alcohols being considered as fuels are methanol and ethanol. Methanol is made from coal, wood, and urban wastes, as well as from natural gas. Although it is cheaper than ethanol, methanol produced from non-petroleum sources would require large-scale conversion plants that would take several years and up to \$1 billion each to build. Ethanol is derived from agricultural products such as sorghum, wheat, and corn through a process of fermentation and distillation. Unlike methanol, ethanol can be produced in small-scale facilities.

Security Assistance Agency, transmitting a report on the impact on U.S. readiness of the Army's proposed sale of certain defense equipment and services to Egypt (Transmittal No. 80-48), pursuant to section 813 of Public Law 94-106; to the Committee on Armed Services.

3781. A letter from the Director, Defense Security Assistance Agency, transmitting notice of the Army's intention to offer to sell certain defense equipment and services to Egypt (Transmittal No. 80-48), pursuant to section 36(b) of the Arms Export Control Act; to the Committee on Foreign Affairs.

#### REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WHITTEN: Committee on Appropriations. House Joint Resolution 510. Joint resolution making further continuing appropriations for the Federal Trade Commission for the fiscal year 1980, and for other purposes (Rept. No. 96-824). Referred to the Committee of the Whole House on the State of the Union.

Mr. THOMPSON: Committee on House Administration. Report on allocation of budget totals by program (Rept. No. 96-825). Referred to the Committee of the Whole House on the State of the Union.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 5 of rule X and clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. PHILLIP BURTON:

H.R. 6804. A bill to amend the National Historic Preservation Act of 1966, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PHILLIP BURTON (for himself, Mr. SEBELIUS, Mr. VENTO, Mr. BINGHAM, and Mr. KOSTMAYER):

H.R. 6805. A bill: National Heritage Act of 1980; to the Committee on Interior and Insular Affairs.

By Mr. CORMAN (for himself and Mr. ROUSSELOT):

H.R. 6806. A bill to amend sections 48(f) and 167(1) of the Internal Revenue Code of 1954 regarding the treatment of public utility property and to provide a transitional rule with respect thereto; to the Committee on Ways and Means.

By Mr. DANNEMEYER (for himself, Mr. DORNAN, and Mr. LUNGREN):

H.R. 6807. A bill to encourage the domestic production and conservation of energy; jointly, to the Committee on Interstate and Foreign Commerce and Ways and Means.

By Mr. FLORIO (for himself and Mr. HUGHES):

H.R. 6808. A bill to amend the Railroad Revitalization and Regulatory Reform Act of 1976 to authorize appropriations to facilitate the private development of the rail passenger corridor between Atlantic City, N.J., and Philadelphia, Pa., and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GLICKMAN (for himself and Mr. SEBELIUS):

H.R. 6809. A bill to amend the Food and Agricultural Act of 1977 to require the Secretary of Agriculture when purchasing commodities suspended from shipment to acquire not only the quantity of commodities suspended from shipment but also the classes of affected commodities; to the Committee on Agriculture.

By Mr. FARY:

H.R. 6810. A bill to amend the Internal Revenue Code of 1954 to reduce the income taxes of low- and middle-income individuals by the excess of the inflation rate over 10 percent; to the Committee on Ways and Means.

By Mr. GONZALEZ (by request):

H.R. 6811. A bill to provide for increased U.S. participation in the International Development Association, to provide for U.S. participation in the African Development Bank, and for other purposes; to the Committee on Banking, Finance and Urban Affairs.

By Mr. GRASSLEY:

H.R. 6812. A bill to require adjustments in census population figures for aliens in the United States illegally so as to prevent distortions in the reapportionment of the House of Representatives, the legislative apportionment and districting of the States, and the allocation of funds under Federal assistance programs; jointly, to the Committee on Post Office and Civil Service and the Judiciary.

By Mr. HARRIS:

H.R. 6813. A bill to amend the Internal Revenue Code of 1954 to allow the residential energy credit for energy conservation expenditures with respect to new residences if such expenditures are for items not required by Federal, State, or local housing standards; to the Committee on Ways and Means.

By Mr. RICHMOND (for himself and Mr. SCHEUER):

H.R. 6814. A bill to amend the Railway Labor Act to provide that State law shall govern the settlement of a labor dispute between employees and a State-owned rail passenger carrier after the procedures and requirements set forth in such act (other than the creation of an emergency board) have been exhausted by the parties to the dispute; to the Committee on Interstate and Foreign Commerce.

By Mr. ROSE:

H.R. 6815. A bill to amend the Agricultural Act of 1949 by increasing loan rates for corn and wheat, providing encouragement for greater participation in the farmer-held reserve program for those commodities, and for other purposes; to the Committee on Agriculture.

By Mr. RUNNELS (for himself and Mr. LUJAN):

H.R. 6816. A bill to further amend the Mineral Leasing Act of 1920 (30 U.S.C. 201(a)), to authorize the Secretary of the Interior to exchange Federal coal leases, and to encourage recovery of certain coal deposits, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SCHULZE:

H.R. 6817. A bill to amend the Revenue Act of 1978 to provide that the inclusion in gross income of certain amounts of unemployment compensation shall not apply to unemployment compensation which is payable by

reason of a work stoppage in 1973 but which was not paid until 1979; to the Committee on Ways and Means.

By Mr. STAGGERS (for himself, Mr. DINGELL, Mr. VAN DEERLIN, Mr. MURPHY of New York, Mr. GORE, Mr. WALGREEN, Mr. MATSUI, Mr. MARKS, Mr. WRIGHT, Mr. JOHNSON of California, Mr. CORMAN, Mr. FAZIO, Mr. PATTERSON, Mr. PURSELL, and Mr. WOLFE):

H.R. 6818. A bill to authorize additional appropriations for the Northeast corridor improvement project, to provide for the development of high-speed intercity rail passenger service in other corridors throughout the United States, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. THOMAS (for himself, Mr. RUDD, Mr. MICHEL, Mr. SENSENBRENNER, Mr. HYDE, Mr. STOCKMAN, Mr. SEBELIUS, Mr. SYMMS, and Mr. ROUSSELOT):

H.R. 6819. A bill to provide for annual adjustments in the cost of the thrifty food plan and the standards deduction under the food stamp program; to the Committee on Agriculture.

By Mr. MCKINNEY:

H.J. Res. 512. Joint resolution to authorize and request the President to proclaim May 1, 1980, as "National Save the Children Day"; to the Committee on Post Office and Civil Service.

By Mr. MCCLORY:

H. Con. Res. 302. Concurrent resolution expressing the sense of the Congress that the Secretary of Energy should not promulgate any Federal emergency energy conservation plan which would harm recreational boating; to the Committee on Interstate and Foreign Commerce.

#### ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 654: Mr. DUNCAN of Oregon, Mr. MCDADE, and Mr. BEDELL.

H.R. 809: Mr. AUCCOIN, Ms. FERRARO, and Mr. WYATT.

H.R. 1129: Mr. WEAVER.

H.R. 3925: Mr. WHITEHURST, Mr. DORNAN, Mr. FORSYTHE, Mr. LEHMAN, Mr. VAN DEERLIN, Mr. PETRI, Mr. MCCLOSKEY, Mr. MINISH, Mr. GRAY, and Mr. CARTER.

H.R. 4773: Mr. DOUGHERTY, Mr. OBERSTAR, and Mr. GRAY.

H.R. 5575: Mr. STOCKMAN, Mr. PAUL, and Mr. CHAPPELL.

H.R. 6012: Mr. CHENEY, Mr. MCCLORY, Mr. WON PAT, Mr. FORSYTHE, Mr. BRODHEAD, Mr. LEATH of Texas, Mr. YOUNG of Florida, Mr. YATES, Mrs. HOLT, Mrs. SNOWE, Mr. PERKINS, Mr. BROOMFIELD, Mr. BENJAMIN, Mr. SAWYER, Mr. HIGHTOWER, Mr. ANNUNZIO, Mr. ROTH, Mrs. SPELLMAN, Mr. MILLER of California, Mr. STUMP, Mr. YOUNG of Missouri, Mr. FARY, Mr. DE LA GARZA, Mr. BAUMAN, Mr. CLAY, Mr. SOLOMON, Mr. PAUL, Mr. WALKER, Mr. RANGEL, Mr. PANETTA, Mr. JOHN L. BURTON, Mr. BROWN of California, Mr. ZABLOCKI, Mr. JONES of Tennessee, Mr. EARLY, Ms. FERRARO, and Mr. JEFFRIES.

**Argument:** Incremental pricing is inflationary.

**Response:** Since the NGPA gradually decontrols wellhead prices of some categories of natural gas, gas prices will rise. The inflationary impact of these increases can be minimized if the higher prices induce conservation—greater efficiencies of gas use, less energy-intensive industrial processes, or switches to cheaper fuels (e.g., coal). Incremental pricing is designed to encourage precisely these anti-inflationary possibilities. Wellhead price decontrol may be inflationary; incremental pricing is not.

By charging large industrial customers the incremental costs of new natural gas, incremental pricing signals these customers to use energy more efficiently, and this the industries can do in a great many cases. Further, they can shift to the cogeneration of heat and power—a very attractive option in many cases and one that is exempted from incremental pricing.

It is not likely, as some contend, that all industrial gas users will simply "pass through" to customers the increased incremental costs by raising the prices of their manufactured products. There are two reasons for this. First, competition: those industries that can keep their manufactured product prices lower by absorbing the increased gas costs with greater efficiencies or "productivity" will gain a competitive advantage. Thus, increases in product prices can be expected to be lower than increases in gas prices caused by incremental pricing. Second, market restraint: large users of natural gas can exert pressure on their pipeline company suppliers to keep gas prices from rising too rapidly; small users (e.g., residences) do not have similar leverage. This restraint on market prices will tend to moderate the inflationary tendencies of wellhead price decontrol.

These two deflationary tendencies of incremental pricing benefit residential consumers. Without incremental pricing, residential gas customers would share, with industrials, the new high gas costs; and they would still receive some pass-through of high gas prices in manufactured product prices. The net effect on residences would be more inflationary without incremental pricing than with it.

A study by Wharton Econometric Forecasting Associates (WEFA) concludes that incremental pricing is, in fact, inflationary. However, this study contains acknowledged errors; WEFA is in the process of correcting these and reporting its new conclusions—which will show lower, but still positive, inflationary effects. Still, one should be skeptical. In a statement to the Federal Energy Regulatory Commission, the Council on Wage and Price Stability contends that incremental pricing is not likely to be inflationary and that the WEFA assumptions, specifications and methodology are poorly suited to calculating the effects of price changes in a subsection of the economy.

**Argument:** Incremental pricing is recessionary.

**Response:** The higher prices for natural gas which result from gradual price decontrol may well have recessionary effects—as most any other price rises would. Incremental pricing seeks to moderate these effects by encouraging industrial customers to make more productive investments—investments which were not made during a period of artificially low gas prices. These investment dollars work through the economy, offsetting many of the possible recessionary effects of the increased gas costs.

**Argument:** Incremental pricing will cause natural gas to be displaced by foreign oil.

**Response:** Some users of natural gas may switch to oil as gas prices rise. Others will

switch to gas because gas prices will stay below the price of any oil substitute. The net effect will be more natural gas use and less use of foreign oil.

As the price of natural gas rises, the first customers to switch away from gas will be those who can use the cheapest substitute: coal. The gas replaced in this way will not remain unused; other customers will back out sources like distillate fuel oil and purchase the newly available cheaper-than-fuel-oil gas. The net effect will be more coal use (consistent with national policy), more gas use, and less fuel oil use.

As gas prices continue to rise during the gradual decontrol period, some gas customers might switch to high sulfur residual fuel oil. The gas not used by these consumers would also not remain unused; other customers would back out low sulfur residual fuel oil or home heating oil, and purchase the newly available cheaper-than-fuel-oil gas. The net effect would be the more efficient use of natural gas, the greater use of coal, and the reduced use of oil products.

**Argument:** Incremental pricing will actually result in residential users paying more for their gas than without incremental pricing, because industrial users will (with incremental pricing) switch to alternate fuels, leaving residential consumers to pick up the fixed gas transmission system costs traditionally paid by industrial customers.

**Response:** First, it is unlikely that industrial gas users will switch in large quantities to alternate fuels. Incremental pricing keeps industrial gas prices below oil substitutes; and any industrial switching to coal, or as a result of conservation, clearly benefits the Nation and the economy.

Second, should there be any significant reduction in industrial gas use before 1985 as a result of incremental pricing, the newly available supplies would in all likelihood be sold at lower, not higher, prices—as in any case of excess supplies. Also, the fixed system costs now paid by industrials are not large; spreading these costs over all residential customers will produce only very small (if any) price increases—which should easily be offset by the downward price pressure of the extra supplies.

Actually, without incremental pricing, there would be a serious possibility of large numbers of industrial customers switching away from natural gas suddenly in 1985, when price controls are lifted and gas prices escalate rapidly to market levels. Incremental pricing seeks to avoid this disruption in the market—and the resulting boost in residential gas prices—by gradually bringing industrial gas prices closer to alternate fuel levels before 1985.

**Argument:** Prices of natural gas to industrial customers will immediately rise to distillate fuel oil prices as a result of incremental pricing.

**Response:** The Federal Energy Regulatory Commission only sets the ceiling price that industrial users can be required to pay. The price that industrial customers will pay depends upon the prices paid by pipeline companies for new gas in the field. If pipeline companies exercise restraint in bidding for new gas supplies, there is no reason why prices to industrial users need ever reach the ceiling established by the Commission. Industrial customers, therefore, should encourage their pipeline suppliers to bid responsibly for new gas supplies.

**Argument:** Incremental pricing requires industrial customers to pay more than their fair share of increased gas costs.

**Response:** Industrial gas users are the beneficiaries of the additional supplies which will result from gradual decontrol. The cost of these "marginal" supplies should, therefore, be initially allocated to

the marginal consumers: industries. As the price of additional gas supplies rises further, incremental pricing will have a broader and broader set of users pay the incremental costs. Industrial customers do not absorb all of the incremental costs now, and their share will decrease over time.

By moving to correct a major regulatory irregularity—the distinction between interstate and intrastate natural gas markets—the NGPA caused substantial quantities of natural gas, formerly sold intrastate, to be made available to interstate markets. This gas is not subject to incremental pricing. The following example shows how industrial users receive this gas, while residential users pay for it.

Producers charge interstate pipelines approximately \$2.40/Mcf for this gas. Adding an average of \$1.00 per Mcf for transportation and delivery charges, the cost to the industrial consumer should be \$3.40/Mcf. However, industrial customers pay about \$2.60 for this gas. The remaining 80 cents per Mcf is being paid by residential and commercial customers, even though they do not use any of this gas. Incremental pricing eliminates the possibility of this happening for other sources of gas by ending the residential customer's subsidy of the industrial user.

**Argument:** Incrementally priced users are subject to the whims of OPEC pricing.

**Response:** Incrementally priced gas users are more subject to the whims of OPEC than are users of any other uncontrolled energy source. Every time OPEC raises its price, all users who are dependent on imported oil—or on any energy source whose additional supplies compete with imported oil—must pay the OPEC price. This will continue until some new, additional energy source can replace OPEC oil at a lower price; this is not likely to happen soon.

Ultimately, wellhead price decontrol will cause gas prices to rise to their replacement-cost level. Replacement-cost pricing ensures that energy conservation opportunities are seen and that productivity is improved. Replacement-cost pricing, so long as OPEC controls marginal supplies, is more or less subject to OPEC whims.

Incremental pricing will not worsen this situation for anyone. Incremental pricing does not mandate that industrial gas users pay OPEC equivalent prices, nor does it mandate that prices must reach the ceiling levels. Prices paid by incrementally priced users will rise only to the levels bid by pipeline companies for gas in the field. OPEC has nothing to do with that.

**Argument:** Industrial user shifts from natural gas to oil will have an adverse impact on air pollution.

**Response:** Because incremental pricing results in no loss of overall consumption of natural gas, there will be no increase in pollution from the burning of alternate fuels.

Price decontrol raises prices to bring on additional gas supplies whose use would reduce air pollution. Incremental pricing will not affect this net increase in gas use. ●

## H.R. 6504, NATIONAL HERITAGE POLICY ACT

HON. AUSTIN J. MURPHY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, March 17, 1980

● Mr. MURPHY of Pennsylvania. Mr. Speaker, I am pleased to join in co-sponsoring the administration's National Heritage Policy Act, H.R. 6504,

which has been introduced by my colleague from California, Mr. BURTON, and on which hearings will be held in the Subcommittee on National Parks and Insular Affairs on March 17 and 18. This very timely and worthwhile piece of legislation would provide something long needed in terms of the effort to conserve the best of the American environment: coordination. Rather than starting up a major new Federal land purchase program, this bill will simply provide for increased coordination among the various activities which are now operating at all government levels and in the private sector to find and conserve significant examples of America's natural and historic heritage.

The heart of the bill will establish a National Register of Natural Areas to parallel the existing National Register of Historic Places. Nominations of areas to the natural register of areas identified for their exemplary biological or geological qualities would come primarily through a system of State natural heritage programs, just as the State historic preservation programs which now operate in each of the 50 States nominate areas to the National Register of Historic Places. A major portion of the proposed natural register already exists, in the form of the National Registry of Natural landmarks which was begun in 1963.

More than 25 States now have voluntarily started such a State heritage program. This bill would help other interested States to begin complementary programs. More importantly, it will provide a form of formal recognition for the areas that these States have identified and will continue to identify, through the National Register of Natural Areas. This recognition is also a means of protecting these irreplaceable areas from the unforeseen impacts of Federal actions. Under the bill, Federal agencies will be asked to respect the wishes and decisions of the States by attempting to insure that during the conduct of their activities as little damage as possible is done to areas listed on the Natural Register. This provision will not prevent or unnecessarily delay needed development activity. It is merely designed to serve as a tool for Federal agencies to help them plan their activities in ways which will not conflict with State priorities.

A large percentage of the more than 500 historic landmarks and over 400 natural landmarks which have been identified to date are maintained in private ownership. Many of these owners have voluntarily agreed to conserve the significant qualities of these landmarks for the benefit of all Americans, while still keeping the property or site in active use. Unfortunately, an average of about 10 percent of the total number of all national landmarks are reported to the Congress each year as being threatened by outside impacts. In my district, Friendship Hill, home of Albert Gallatin during his years in the Congress and

as Secretary of the Treasury, has provided an unfortunate example of what can happen to these landmarks when left without protection. Friendship Hill was privately owned until January of this year, when the National Park Service finally obtained the funds to purchase the property. This purchase was made necessary because the house was in a seriously deteriorated condition as a result of vandalism. Purchase by a Federal agency is not the only nor necessarily the most desirable way to conserve these national landmarks. It would be better to keep as many as possible in private ownership. But we must have more effective protective tools for landmarks and more incentives made available for the private owners of landmark properties if we are to conserve the unique qualities for which these sites have been selected.

I was very disturbed to learn recently that each year more than half of the national landmarks reported as being threatened are located on Federal property or are being threatened by some Federal activity. This is a sad example of the right hand not knowing what the left hand is doing: Federal agencies engaged in destroying what other Federal agencies have identified as being nationally significant resources. The heritage bill will not stop Federal or federally sponsored development activities, but it will insure that our right hand is always aware of the importance of what the left hand is doing.

The National Heritage Policy Act will allow us to continue to develop and grow in the ways we must to survive as a Nation. It will also enable all Americans to work together to see that, when we survive, we survive with our priceless national heritage intact. I am pleased and proud to join in co-sponsoring this legislation.●

#### MAYOR KAY CALAS OF CARSON HONORED

HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. ANDERSON of California. Mr. Speaker, on the evening of March 28, 1980, many friends and associates will gather on San Pedro's *Princess Louise* to honor Kay Calas, the mayor of Carson, Calif.

Mayor Calas is a widely respected leader in the 32d Congressional District, which I represent, and I would like to share with my colleagues in the U.S. House of Representatives some of her outstanding accomplishments. While her work is well known in the 32d District, it certainly merits wider recognition.

Kay Calas has been a resident of Carson for more than 30 years. She and her late husband, Councilman John Calas, were very active in the growth and development of the

Carson area. Through their work with the Carson Homeowners Association, they helped with the movement that made possible the incorporation of Carson as an independent city. After her husband passed away in 1975, she continued her active involvement in civic affairs.

She has served as president of the Carson Democratic Club and as president of the Keystone Women's Club, one of the oldest women's service organizations in the entire South Bay area. Kay Calas has also cochaired the chamber of commerce annual Miss Carson Beauty Pageant; been a member of the Carson Float Association, and the Graffiti Committee; and has served as director of the Carson Chamber of Commerce.

Law enforcement is another area where Mayor Calas has devoted much of her time. Last year she was appointed chairperson of WE TIP, an organization dedicated to the reduction of drug traffic in the local community. In addition, she has worked with civic organizations and the police department to improve police-community relations.

Her work for the Democratic Party has been strong, dedicated, effective, and consistent over the years. In 1968 she conducted important organizational work for the Presidential campaign of the late Senator Hubert Humphrey. The contribution of her talents to the party has earned her formal recognition, as she has been named a Democratic key woman.

As a businesswoman, Kay Calas has also achieved success. She handles business rentals for Calas Investments, a firm she and her husband operated for many years. This and her other ventures in the business world have been productive for her, her family, and the community.

My wife, Lee, joins me in congratulating our good friend Kay Calas on all her achievements. By her good work, she has brought honor to her family and to her community. We send our best wishes to Kay and all her children; her five sons, Chuck, John Jr., Frank, Jim, and Tom. We hope the future brings them many more years of good fortune and happiness.●

#### CHEROKEE NATION AND LOSS OF MINERALS

HON. MIKE SYNAR

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 19, 1980

● Mr. SYNAR. Mr. Speaker, today I introduced legislation in the House which confers jurisdiction on certain courts in the United States to hear, determine, and render judgment for the damages caused to the Cherokee Nation of Oklahoma for the loss of minerals from the Arkansas riverbed.

The history of this claim against the United States has been a long and



Day' would be a most important reminder of what we need and expect from this vital segment of our economy in the future."

The Republicans signing this statement were Representatives William C. Wampler of Virginia, Ranking Republican Member of the Committee, Keith G. Sebellius of Kansas, Paul Findley of Illinois, Steve D. Symms of Idaho, Edward R. Madigan of Illinois, Margaret M. Heckler of Massachusetts, James M. Jeffords of Vermont, Richard Kelly of Florida, Charles E. Grassley of Iowa, Tom Hagedorn of Minnesota, Larry J. Hopkins of Kentucky, and William M. Thomas of California.●

## THE NATIONAL HERITAGE POLICY ACT

**HON. BOB ECKHARDT**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 20, 1980

● Mr. ECKHARDT. Mr. Speaker, in June 1979, the Texas Legislature passed Senate bill 1131, establishing the Texas Conservation Foundation and assigning to them powers and duties to survey and collect data concerning the natural resources and areas of Texas, to create a register of Texas unique natural areas and resources, and to make timely acquisition of property to further the conservation of natural, scenic, historical, scientific, educational, inspirational, wildlife, or recreation resources for future generations of Americans. This bill received support from a broad cross section of State and local government officials, private conservation groups, and the academic community.

Texans have been chided for what is by some considered their inordinate pride in the history and resources of their State and the uniqueness of its landscape. Some even say Texas brag; but, as for me, I have never found the need to. The simple, unvarnished truth about our Texas heritage and resources is impressive enough.

I have been trying to tell and to show my friends in Congress that all Texas is not a great plain supporting only mesquite or grease weed, as they may see it in their days in the Army Air Corps. It comprises a great variety of country, encompassing the Big Bend, with scenery rivaling the Royal Gorge, the deep piney woods of east Texas, the rolling pleasant live oak country of south central Texas, the brush country of south Texas, the wide-reaching beaches and bays of the gulf coast, the stone bottomed creeks, dwarf oaks, cedar breaks, and erosion hills of central Texas, the beauty of Palo Duro Canyon cuts below a vast and monotonous plain, the cross timbers of north Texas, and the stark rugged hills of El Paso del Norte.

The creation of the Texas Conservation Foundation is an expression of the commitment of the people of

Texas to preserving such natural heritage. With an increasing population and changing land use patterns, we perceived the danger that examples of our natural heritage might be irretrievably damaged. The Texas Conservation Foundation will coordinate and improve the effectiveness of existing efforts to identify special resources and plan for their protection.

I am pleased to be a cosponsor of the National Heritage Policy Act, H.R. 6504, on which hearings were held by Congressman BURTON on March 17 and 18, 1980, in the chairman's National Parks and Insular Affairs Subcommittee. It would establish a national heritage policy which would lend support to the program in Texas and similar programs existing in 26 other States. It would enlist government and nongovernment participation in the identification of heritage resources, and make available resource information through State programs. This would improve the ability of Federal agencies, States, and private resource managers as well as developers to make informed decisions on resource use. The program would enrich our lives by identifying, recognizing, and protecting those very special places which illustrate the natural history of the American land.●

## ANNIVERSARY OF THE BYELO- RUSSIAN DEMOCRATIC REPUB- LIC

**HON. MARY ROSE OAKAR**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 20, 1980

● Ms. OAKAR. Mr. Speaker, on March 25 the Byelorussian-American people will celebrate the 62d anniversary of the Proclamation of the Byelorussian Democratic Republic on March 25, 1918. Let me say that I support the major concern of the Byelorussian-American community this year, that being the release of their political prisoners. In that light I would like to draw the attention of the House to the National Resolution of the Byelorussian-American Association:

### RESOLUTION

Resolved that the Byelorussian language be included in Voice of America programming.

The aforementioned resolution to be adopted by the Byelorussian American community at the March 23rd, 1980 rally commemorating the 62nd anniversary of the proclamation of the Byelorussian Democratic Republic which took place in Minsk, capital of Byelorussian, on March 25, 1918.

The Byelorussian-American community of New York is convinced that U.S. national security interests and world peace are well served when captive nations within the

Soviet Union are informed of the nature of Soviet expansionism and the vitality of their respective cultural heritages in the United States. Indeed, these are major objectives of Voice of America broadcasts. For years, however, Byelorussians in the Soviet Union have not heard any VOA broadcasts in their own language.

The Byelorussian language, the language of one of the largest ethnic groups in the USSR and one of the oldest ethnic groups in the United States, is being discriminated against by the Voice of America as it does not include the Byelorussian language in its programming. We, the participants of this rally wish to once again express our long standing frustration at this discrimination; we ask that the administration of the VOA and other concerned government agencies recognize the inequity and unsoundness of VOA policy in this matter and move to include the Byelorussian language in VOA programming. Inclusion of the Byelorussian language in VOA broadcasts would foster closer relations with the Byelorussian people and the Byelorussian-American community.●

## ENERGY COMMITTEE PROPOSALS

**HON. BILL FRENZEL**

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 20, 1980

● Mr. FRENZEL. Mr. Speaker, the House of Representatives will soon consider a resolution, House Resolution 549, reported by the Select Committee on Committees, to create a standing Committee on Energy. Pursuant to the rule adopted on March 18, three additional options may be offered: the Gramm substitute, the Bingham substitute, and what has been referred to as the Cleveland-Patterson-Frenzel substitute. This last alternative will be the basis of a motion to recommit with instructions.

Like the select committee resolution, the Gramm and Cleveland-Patterson-Frenzel substitutes would create a standing committee on energy. In contrast, the Bingham substitute attaches new energy jurisdictional language to the Committee on Interstate and Foreign Commerce, and renames that unit the Committee on Energy and Commerce. As the scope of these four initiatives varies significantly, the following table presents a comparative overview to illustrate differences as well as similarities. The table sets forth the jurisdictional terms assigned to either a new energy committee—by House Resolution 549, the Gramm and Cleveland-Patterson-Frenzel substitutes—or, in the case of the Bingham substitute, to the Commerce Committee. The text of the Gramm and Bingham substitutes, from which these jurisdictional terms are drawn, appeared, respectively, in the CONGRESSIONAL RECORD of February 25, page 3662, and February 27, page 4135.

Mr. Speaker, it is appropriate this week to honor Mr. Knudsen for his many accomplishments and for these well-documented contributions to the field of journalism and to the people he has served over the years. Mr. Knudsen's achievements serve as an inspiration to those in the newspaper field, as well as to the many young people throughout the Nation who are now embarking on careers in journalism. ●

**NATIONAL HERITAGE POLICY ACT, H.R. 6504**

**HON. BOB CARR**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 25, 1980

● Mr. CARR. Mr. Speaker, I have recently become a cosponsor of the administration's National Heritage Policy Act, H.R. 6504, and I would like to share with my colleagues the reason for my support.

Since its creation 2 years ago, I have observed with interest the growth and development of the Heritage Conservation and Recreation Service. My attention was particularly drawn to the Department of the Interior's heritage conservation programs a year and a half ago, when an incident in my district made me aware of shortcomings in the designation process in the national historic landmarks program. At that time, I was working with city of Lansing officials and the Economic Development Administration on a plan to raze the abandoned Diamond Reo Motor Car Co. plant that had sat vacant for 4 years in order to make way for new industrial development and neighborhood restoration. Matters were proceeding well when I read in the local newspaper that eight buildings in the 40-acre complex had been designated as national historic landmarks. Needless to say, I was shocked by the public announcement of this designation about which I had no knowledge in advance.

I had never even been notified that the site was being recommended for designation. Nor had the city officials or the owners of the property. Nor, for that matter, had the Federal officials from the Economic Development Administration with whom we were working. All of us were completely in the dark, and all of us were outraged that our first hint that a Federal project could affect the work we had been doing for so many months came from reading a newspaper report about an accomplished fact. Worse, when we tried to inquire about the possibility of reversing the designation decision, we were told that nothing could be done. The process by which that designation had been made involved no cooperation, no prior notice, no public involvement. It was almost as if the process had been designed to insure a confrontation of adversaries.

This incident made it clear to me that public notice and participation, and official consultation in the national historic landmark designation process was seriously inadequate. In discussions with Secretary Andrus and Director Delaporte, I made clear my objection to the fact that congressional notification came only after designation of the Reo Motor Car Plant and that local officials and citizens were not consulted during the process. The fact that there was no opportunity for public hearings and for reviewing the record turned out to be critically important in this case. As we later learned, the research on which the recommendation for designation was based turned out to be inadequate and inaccurate. Buildings in the Diamond Reo complex thought to be associated with Ransom E. Olds were not in fact associated with Olds after all. The manufacturing products alleged in the research to have come from the Diamond Reo complex turned out to have come from buildings in Lansing that were already being protected. Misinformation of this sort can easily be corrected if it is allowed to see the light of day. But it can live forever to do untold damage if it is allowed to lead a subterranean existence.

I'm grateful that Director Delaporte agreed with me about the need for sunshine. He took a closer look at the program and suspended all designations until more open regulations and procedures could be developed and adopted. I am pleased that the interim regulations published in the Federal Register for comment in December 1979, require broad notification and opportunity for comment on proposed national historic landmark designations.

Let me emphasize that public accountability and openness is a necessity not only for the national historic landmark program but throughout the historic preservation and natural heritage programs. We have before us now legislation that addresses the identification and protection of our heritage resources. I fully believe in the value of heritage conservation. But I would like to point out that the Federal Government will play a meaningful role in preserving our country's heritage only if its programs command the respect of public officials and are fully integrated into the mainstream of planning in this country. Consultation with local officials and citizens is absolutely imperative. I hope the legislative history and record of these hearings will conclusively direct that all heritage resource programs require consultation and give a high priority to coordination with local officials and citizen input.

The proposed National Heritage Policy Act seeks to improve coordination and facilitate the exchange of cultural and natural resource information. I believe that the provisions of H.R. 6504 provide a framework for the

consultation, openness and public accountability that are crucial to the protection of our heritage resources, and I am pleased to join in supporting this legislation. ●

**FIGHTING INFLATION WITHOUT RECESSION**

**HON. JOSEPH P. ADDABBO**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 25, 1980

● Mr. ADDABBO. Mr. Speaker, it is no great secret to the people of this country that the No. 1 problem facing us today is inflation, a problem which affects us all every day of the year. In recent weeks there have been a plethora of proposals written in journals and magazines trying to give us answers to this problem. Many of the reports I have gone over have been vague and confusing. But I recently read one by Irving Zuckerman, formerly Assistant Director for Planning and Budget, Office of Coal Research, Department of the Interior. It offers an insight to inflation rarely seen and I would like to take this opportunity to share it with you in the hope it will shed some new light on an old problem.

I insert this instructive article into the RECORD:

**FIGHTING INFLATION WITHOUT RECESSION**  
(By Irving Zuckerman)

My tax accountant phoned me again, and during our conversation he reminded me that when I mentioned fighting inflation previously, I did not look to recession but looked to fundamental underlying dislocations which have accumulated out of previous production periods. I told him that the current production periods contribute little to inflation. We have already had several recent recessions during which inflation continued with only slight changes in rate. And so our previous discussion was resumed:

HIM. What do you see as the origin of the ongoing inflation?

ME. It seems to me that there are two major factors which cause inflation, and one minor factor which may even contribute some deflation. The inflation seems to result from the accumulation of "store of value" dollars, and the two factors I have in mind are two sources of that accumulation. One source of the accumulation of "store of value" dollars, is the annual deficit in the U.S. balance of payments. After years of such imbalances between dollars going out and dollars coming back, there is now abroad a huge amount of "store of value" dollars. Those dollars represent potential claims on the U.S. Gross National Product and potential claims on U.S. assets. Until 1971 those claims could be offered for redemption in gold, but since 1971 claims can be made only for redemption in goods and services, and in capital assets. The accumulation of "store of value" dollars abroad is huge.

HIM. Is that why the dollar has had a tendency to decline in relation to other currencies?

ME. Yes, and the dollar also has had a tendency to decline in terms of U.S. foreign trade. The dollar bought less and less abroad, which is to say that the dollar bought at a relatively higher prices abroad,

# FREEDOM TO THE ROITBURD FAMILY

## HON. ALVIN BALDUS

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 25, 1980

● Mr. BALDUS. Mr. Speaker, today I am bringing the plight of a Soviet refusenik family, the Lev Roitburds of Odessa, U.S.S.R., to the attention of the House of Representatives. I first became aware of the family's valiant struggle to leave the Soviet Union in December 1978, after Joseph Roitburd, a cousin who now lives in Milwaukee, brought the situation to my attention. Joseph Roitburd has worked indefatigably for the family's release since 1975. To my dismay the family is still in the Soviet Union and prospects for a visa seem very dim.

Lev Roitburd, an aeronautical engineer by training, first applied in 1972 for a visa that would allow him and his family to emigrate to Israel. Since the first application was filed, the family has been repeatedly denied permission. Several times denial was based on the grounds that Lev had access to secret information, even though he had never been required to sign the government's secrecy document. On other occasions, the emigration visa was denied with no reasons whatsoever provided.

During the intervening years, the family has been subjected to various degrees of harassment. In 1975, Lev, while attempting to meet with a delegation of U.S. Senators in Moscow, was arrested on charges of resisting an official in authority and sentenced to 2 years at hard labor in Siberia. He was not considered a political prisoner, but placed instead in a camp with hardened criminals. He had a history of back problems, but no arrangement was made to meet his special needs. During his term of imprisonment, he suffered further injury to his knee, an injury which still causes him problems.

He returned to Odessa in 1977 with the expectation that he would be granted a visa to leave the U.S.S.R. very soon. The visa never arrived and it did not take long before harassments began again. A potentially serious situation developed when both he and his wife were interviewed separately by the KGB, which attempted to associate them with espionage activities. Since I last spoke to the House about the family, Lev was picked up again by the KGB along with three other refuseniks. A Hebrew textbook and book of poems were taken from him and his friends were warned that Roitburd was a Zionist and criminal.

Most recently, during the week of November 18, 1979, an article concerning Roitburd appeared in the Znamia Kommunist, a local Odessa newspaper. The title of the article was the "Fables and Fairy Tales of Lev Roitburd." This decidedly antisemitic arti-

cle accused Lev of being a Zionist agent, a parasite, receiving visits from foreign Zionist agents, of drunkenness and hooliganism. The appearance of the article was alarming because similar attacks in the press are frequently the prelude to arrest. Further, it was a signal to his acquaintances and neighbors of the party's disapproval of the Roitburds.

The Soviets must have hoped that by printing the article in an obscure newspaper, local opinion could be turned against the Roitburd family, but at the same time, the act would remain hidden from Western eyes. Copies of the article did get out of the U.S.S.R. and Western reaction against such harassment was registered with Soviet authorities.

Another complication revolves around the Roitburd's son, Sasha, who turned 16 in February of this year. He is quickly approaching the age of military eligibility. Should he be required to serve in the Soviet Army, the family would face at least a 5-year delay before being able to apply once more for a visa.

Lev, his wife, and son are all alone in Odessa. Mrs. Roitburd's parents now live in Israel—they are elderly and desperately want to be reunited with their daughter, her husband, and grandson. The Roitburds have had their hopes for reunification raised many times. The Department of State has brought their case to the attention of Soviet authorities upon numerous occasions. In 1978, the family was included on a list of 17 other families whose visa denials the Soviets promised to reconsider. Of 18 families on the list, only the Roitburds remain in the Soviet Union.

The Soviets are a party to the Helsinki accord. In that accord, each nation pledges itself to facilitate the reunification of families. On this basis alone, it is time for the U.S.S.R. to recognize its responsibilities as a signatory to Helsinki and to allow the Roitburd family to leave Odessa immediately. There is no justifiable ground for further denial of the visa because of security reasons. The family is now being used as an example, a warning to other Jewish families who may also want to emigrate.

Jewish and Christian communities around the world will celebrate festivals of freedom in the coming weeks. I call upon the Soviet Union to recognize the very basic freedom of choosing one's homeland and to grant that freedom to the Roitburd family.●

## MARCH 25, 1980—159 YEARS OF GREEK INDEPENDENCE

### HON. GLENN M. ANDERSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 25, 1980

● Mr. ANDERSON of California. Mr. Speaker, today marks the 159th year

of Greek independence. It is truly admirable that the cradle of modern democracy has been able to emerge intact, its internal problems of the last decade surmounted by the everlasting principles of freedom of thought and action.

The Greek people have made immeasurable contributions to the world, both in ancient times and modern. Among them, philosophy, science, geometry, the arts, and industry. They have inspired us all to scale the limits of man's knowledge, his creativity, imagination and love of beauty. Among those contributions are the Olympics, where the grace and beauty of the athletic form allow the nations of the world to gather in friendly competition.

The greatness that is inherent in the Greek culture has been passed on to those of Greek origin who reside in the United States, and I would like to comment on the Greek-Americans residing in my own district. Mr. Speaker, there is no group more deserving of recognition at this time than they, because it is the ideals of man's goodness, his dignity and worth that need to prevail in these troubled times. The Greek people embody all of this. Their ability to triumph over adversity and prevail, is a lesson we should all learn from.

Thus, as the Greek people all over the world reflect upon their heritage and celebrate their long and glorious history, they can also point with pride at their devotion to maintaining those ideals which all free people hold in such high regard. Man's philosophical and moral birth began with the Greeks, and for that we must be eternally grateful, and celebrate joyfully with them on this day.●

## HISTORIC PRESERVATION

### HON. BALTASAR CORRADA

OF PUERTO RICO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 25, 1980

● Mr. CORRADA. Mr. Speaker, last week, the Subcommittee on National Parks and Insular Affairs, of which I am a member, held 2 days of hearings on the issue of historic preservation. I am pleased to be a cosponsor of H.R. 5496, introduced by my distinguished colleague JOHN SEIBERLING. I am also a cosponsor of the administration's proposal, H.R. 6504, which was introduced by PHILIP BURTON, chairman of the National Parks Subcommittee.

The Commonwealth of Puerto Rico has an unusually rich and varied natural and historic heritage, of which we are justly proud. Puerto Rico's cultural heritage includes such properties as La Fortaleza, built in the 16th century as a fortress against invading French and English and now listed on the National Register of Historic Places as a national historic landmark. On the

March 25, 1980

natural side, Mona and Monito Islands, site of what are considered to be the largest and most unusual sea caves in the entire world, have been designated as a national natural landmark.

I was happy to learn recently from the Department of the Interior's Heritage Conservation and Recreation Service that 10 additional sites in Puerto Rico are now under review for potential nomination as natural landmarks. These sites include such areas as Puerto Mosquito, the most outstanding example of a bioluminescent bay in the United States; and Rio Camuy Caves, thought to be one of the largest cave systems in the world. One of these sites, Rio Abajo Forest, was recently selected as a national natural landmark. It is gratifying for all Puerto Ricans to have our natural heritage recognized in this fashion as an integral part of the total heritage of the United States.

Legislation to protect our national heritage is needed if we are to insure the importance of our historic and natural heritage resources is formally recognized by means of the National Register of Historic Places and the proposed National Register of Natural Areas. The former Register has been in existence since 1966 and will continue to be the basis of historic preservation planning in this country. The latter Register has existed since 1963, in the form of the National Registry of Natural Landmarks. These two parallel national listings of properties stand as visible symbols of the most significant features of the American landscape. These bills will insure that the areas which have been identified and listed on the National Registers will be afforded some protection from the potentially damaging impacts of Federal or federally sponsored activities. The bill will not stop or delay these activities, but will see that the planning decisions we make in the future are based on a full understanding of the importance of these unique areas to all of our citizens.

The national heritage program will provide for continued technical and financial assistance to the States and territories to allow them to continue to identify and nominate their natural and historic treasures to the Registers. Most importantly, it will accomplish such assistance without the need for any new funding sources. The designers of the heritage program have developed a fiscally responsible program which is very responsive to the economic concerns America faces today.

I look forward to the debate and discussion on these bills. The hearings which were held, and the numerous testimonies we received, will enable us to come up with a strong bill which

## EXTENSIONS OF REMARKS

will work to protect and enhance our valuable National Natural Resources.●

### ANNIVERSARY OF BYELORUSSIAN INDEPENDENCE

HON. WILLIAM J. HUGHES

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 25, 1980

● Mr. HUGHES. Mr. Speaker, today the Byelorussian-American community will celebrate the 62d anniversary of the creation of the Byelorussian Democratic Republic. Although freedom from oppression in this nation proved to be fleeting, the memories of independence will remain forever ingrained in the hearts of the Byelorussian people.

The national revolution began during the anti-Russian uprising of 1863, led by Kastus Kalinowski, and continued with the formation of the Byelorussian National Revival Movement. Independence became a reality when the first all-Byelorussian Congress convened in December 1917. The act of March 25, 1918 proclaimed to all the world Byelorussia's new status as an autonomous nation, free from the yoke of Soviet oppression, and bestowed upon the citizens of this democratic republic their liberty.

Unfortunately, the people of Byelorussia were once again subject to foreign domination with the onset of the Bolshevik October revolution. The valiant efforts of the Byelorussian resistance could not compete with the military might of the Bolshevik army, and the Soviet hold over Byelorussia became stronger than ever.

But the people of Byelorussia would not forget their brief encounter with freedom. Although the Soviets tried to unify their captives by stifling culture and creativity, eliminating diversity of language, and obliterating national heritage and traditions, the Byelorussians refused to succumb to this intellectual enslavement. Their dreams of liberty have enabled them to remain united despite the fact that they are being denied their basic human rights.

Today, let people of all nationalities and ethnic origins join together to recall the history of this Byelorussian struggle for independence for it is truly an inspiration for all who suffer under the yoke of political oppression. Let us pay tribute to the courage of these valiant people by joining with the Byelorussian-American community in celebration. It is my hope that, one day, the Byelorussians will join us again, among the ranks of the nations of the free world.●

6599

## RULES AND PROCEDURES GOVERNING THE SELECTION AND ASSIGNMENT OF SUITES IN THE HOUSE OFFICE BUILDINGS

HON. THOMAS P. O'NEILL, JR.

OF MASSACHUSETTS  
IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 25, 1980

● Mr. O'NEILL. Mr. Speaker, this is to advise Members that, effective January 29, 1980, the House Office Building Commission has approved the attached rules and procedures governing the selection and assignment of suites in the House office buildings, as recommended by the Commission. The rules follow:

### RULES AND PROCEDURES GOVERNING THE SELECTION AND ASSIGNMENT OF SUITES IN THE HOUSE OFFICE BUILDINGS

The following rules and procedures for the selection and assignment of suites to Members are hereby adopted by the House Office Building Commission:

#### Rule 1. Office vacancies occurring during a session of Congress

1.1 If an office shall become vacant during a session of Congress, due to death or resignation of a Member or for any reason, it shall not be assigned for a period of 10 days from the day of the vacancy. Beginning at 12 o'clock noon on the sixth day (or the next day if it falls on a Sunday) from the day of vacancy and ending at 12 o'clock noon on the tenth day (or the next day if it falls on a Sunday), the Superintendent of the House Office Buildings shall accept, in writing, applications (provided for convenience by the Superintendent) from Members for the vacancy. At 12 o'clock noon on the tenth day (or the next day if it falls on a Sunday) the vacant office will be assigned to the Member with the longest continuous service.

1.2 In the case of Members of equal service the one whose application was first received in the Superintendent's office shall have priority; if applications from Members of equal service are received at the same time, priority shall be determined by lot. In order to expedite the assignment of offices, each Member (or the Member's designated representative) shall be allowed not to exceed 20 minutes in which to select a vacant suite. If the selection is not made within the 20 minutes allowed, the Superintendent shall continue on to the next Member whose priority has been determined by lot. The Member then passed-over shall be given an opportunity to select a vacant suite after the remaining Members with equal service have completed their selections of office space.

1.3 There shall be a 30-day period from the date of the vacancy before the occupants shall be required to move.

1.4 For the purposes of this Rule, the day of the vacancy shall begin at 12 o'clock noon on the day following the effective date of a Member's resignation or other termination reason, or the day following the death of a Member.

#### Rule 2. Assignment of offices following November general elections

2.1 Following election day, the Superintendent of the House Office Buildings, under the direction of the House Office Building Commission, shall be responsible for preparing and issuing a schedule of dates on which suite applications will be received from, and suites assigned to, reelect-

of Oregon; to the Committee on Interior and Insular Affairs.

By Mr. BEDELL:

H.R. 7268. A bill to increase the levels of price support loans provided under the producer storage program for the 1979, 1980, and 1981 crops of wheat and feed grains, and for other purposes; to the Committee on Agriculture.

By Mr. BEILENSON:

H.R. 7269. A bill to repeal the Logan Act; to the Committee on the Judiciary.

By Mr. BROWN of California:

H.R. 7270. A bill to encourage the development and utilization of excellence in design through a program of research, development, education, and voluntary standard setting; jointly, to the Committees on Interstate and Foreign Commerce and Science and Technology.

By Mr. DELLUMS (by request):

H.R. 7271. A bill to amend the District of Columbia Self-Government and Governmental Reorganization Act with respect to the limitation on the rate of pay which may be established by the Mayor of the District of Columbia for the City Administrator; to the Committee on the District of Columbia.

By Mr. DORNAN:

H.R. 7272. A bill to provide detention benefits for the American hostages held in Iran and to exclude from gross income such benefits and any earned income of the hostages during the period of the Iranian crisis; jointly, to the Committees on Foreign Affairs and Ways and Means.

By Ms. HOLTZMAN (for herself, Mr. DANIELSON, Mr. HALL of Texas, Mr. BARNES, Mr. FISH, and Mr. LUNGREN):

H.R. 7273. A bill to amend the Immigration and Nationality Act, and for other purposes; to the Committee on the Judiciary.

By Mr. JEFFRIES:

H.R. 7274. A bill to designate the building known as the Veterans' Administration Hospital in Topeka, Kans., as the "Harry W. Colmery Veterans' Administration Hospital"; to the Committee on Veterans' Affairs.

By Mr. LEDERER:

H.R. 7275. A bill to prohibit the imposition of discriminatory State taxes with respect to natural gas; to the Committee on the Judiciary.

H.R. 7276. A bill to amend the Internal Revenue Code of 1954 to allow the investment tax credit for certain rehabilitated buildings leased to tax-exempt organizations or to governmental units; to the Committee on Ways and Means.

By Mr. PANETTA:

H.R. 7277. A bill to amend the National School Lunch Act, and the Child Nutrition Act of 1966, to revise Federal payments for paid lunches, income eligibility standards, and eligibility for the special milk program; to reduce fraud and abuse by restricting the eligibility of certain service institutions to operate the summer food services program for children; to extend the authorization for the special supplemental food program, State administrative expense funds, the nutrition education and training program, and the reserve provisions of food service equipment assistance; and for other purposes; to the Committee on Education and Labor.

By Mr. SEBELIUS:

H.R. 7278. A bill to provide financial assistance to the Accokeek Foundation in the operation of the National Colonial Farm, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. SEIBERLING:

H.R. 7279. A bill to amend the act of December 27, 1974, providing for the establishment of the Cuyahoga Valley National Recreation Area; to the Committee on Interior and Insular Affairs.

By Mr. ULLMAN:

H.R. 7280. A bill to consent to the Goose Lake Basin compact between the States of

California and Oregon; to the Committee on Interior and Insular Affairs.

By Mr. PEPPER:

H.J. Res. 542. Joint resolution designating January 25, 1981, as "Sons and Daughters Day"; to the Committee on Post Office and Civil Service.

By Mr. SHARP (for himself, Mr. PREYER, Mr. ASHLEY, Mr. BROYHILL, Mr. BROWN of Ohio, and Mr. STOCKMAN):

H. Res. 655. Resolution disapproving the proposed rule under section 202 of the Natural Gas Policy Act of 1978 (relating to incremental pricing) transmitted to the Congress on May 6, 1980; to the Committee on Interstate and Foreign Commerce.

By Mr. BONER of Tennessee:

H. Res. 658. Resolution to express the sense of Congress that financial assistance should not be made available to students from countries with which the United States has severed diplomatic relations; to the Committee on Education and Labor.

### ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 654: Mr. STENHOLM.  
H.R. 2211: Mr. ROE.  
H.R. 2443: Mr. FITHIAN.  
H.R. 4094: Mr. MURPHY of Pennsylvania, Mr. KILDEE, Mr. MITCHELL of Maryland, Mr. FROST, Mr. GUDGER, Mr. ROE, Mr. YATRON, Mr. GRAY, Mr. BONIOR of Michigan, Mr. WEISS, Mr. BEDELL, Ms. FERRARO, and Mr. MINETA.  
H.R. 4509: Mr. CAVANAUGH.  
H.R. 4717: Mr. ETEL, Mr. MOLLOHAN, Mr. JOHN L. BURTON, Mr. CARR, and Mr. EDGAR.  
H.R. 5742: Mr. NOLAN.  
H.R. 5819: Mrs. BOUQUARD, Mr. GOLDWATER, Mr. LAFALCE, Mr. DIGGS, Mr. STANGELAND, and Mr. ERLNBORN.  
H.R. 5981: Mr. AUCOIN, Mr. DRINAN, Mr. LEACH of Louisiana, Mr. LOWRY, and Mr. OTTINGER.  
H.R. 6008: Mr. CONTE.  
H.R. 6016: Mr. HAWKINS, Mr. STARK, Mr. NOLAN, Mr. DELLUMS, Mr. GRAY, Mr. CLAY, Mr. STOKES, Mr. EVANS of the Virgin Islands, and Mr. PATTERSON.  
H.R. 6074: Mr. JONES of Tennessee.  
H.R. 6407: Mrs. BOGGS, Mrs. CHISHOLM, Mr. CONABLE, Mr. DOWNEY, Ms. FERRARO, Mr. FISH, Mr. GILMAN, Mr. GREEN, Mr. HANLEY, Mrs. HECKLER, Ms. HOLTZMAN, Mr. HORTON, Mr. KEMP, Mr. MCHUGH, Ms. MIKULSKI, Mr. MITCHELL of New York, Mr. NOWAK, Mr. OTTINGER, Mr. PEYSER, Mr. PRITCHARD, Mr. RICHMOND, Mr. SCHEUER, Mr. SOLARZ, Mrs. SPELLMAN, Mr. STRATTON, Mr. WEISS, and Mr. WOLFF.  
H.R. 6489: Mr. BROWN of Ohio, Mr. COUGHLIN, and Mr. HAMILTON.  
H.R. 6504: Mr. FLORIO, Mr. PATTERSON, Mr. WEAVER, Mr. KASTENMEIER, Mr. HOWARD, Mr. ECKHARDT, Mr. MURPHY of Pennsylvania, Mr. CARR, Mr. CORRADA, and Mr. UDALL.  
H.R. 6812: Mr. DAN DANIEL and Mr. NOLAN.  
H.R. 6705: Mr. FORSYTHE, Mr. HUGHES, Mr. BIAGGI, Mr. EMERY, Mr. LIVINGSTON, Mr. HUTTO, Mr. OBERSTAR, and Mr. DORNAN.  
H.R. 6722: Mr. BLANCHARD, Mr. COELHO, Mr. DOWNEY, Mr. DUNCAN of Tennessee, Mr. LUKEN, Mr. MILLER of California, Mr. ST GERMAIN, Mr. SCHEUER, and Mr. WOLFF.  
H.R. 6804: Mr. HYDE.  
H.R. 6813: Mr. MCCORMACK, Mr. GINGRICH, Mr. DOUGHERTY, Mr. GARCIA, Mr. MURPHY of Pennsylvania, Mr. WALGREN, and Mrs. SNOWE.  
H.R. 6895: Mr. BAILEY.  
H.R. 6910: Mr. FUQUA.  
H.R. 6913: Mr. ADDABBO and Mr. WOLPE.  
H.R. 7039: Mr. AUCOIN, Mr. YOUNG of Alaska, Mr. MURPHY of Pennsylvania, Mr.

HUGHES, Mr. TRIBLE, Mr. WEAVER, Mr. GINN, Mr. FUQUA, Mr. LOTT, Mr. STUDDS, Mr. LOWRY, and Mr. LIVINGSTON.

H.R. 7099: Mr. FORSYTHE.

H.R. 7100: Mr. HANCE, Mr. MOAKLEY, Mr. LEACH of Louisiana, Mr. BONKER, Mr. PEYSER, Mr. FITHIAN, and Mr. KASTENMEIER.

H.R. 7121: Mr. HOLLAND, Mr. ANDREWS of North Carolina, and Mr. BEDELL.

H.J. Res. 311: Mr. ROYBAL and Mr. JACOBS.

H. Con. Res. 57: Mr. WHITEHURST, Mr. GARCIA, Mr. PORTER, Mr. MILLER of California, Mr. GOLDWATER, Mr. RITTER, Mr. MARRIOTT, Mr. WYDLER, Mr. BLANCHARD, and Mr. MAZZOLI.

H. Con. Res. 243: Mrs. FENWICK and Mr. MARTIN.

H. Con. Res. 320: Mr. SOLARZ, Mr. WOLPE, Mr. MOAKLEY, Mr. WHITEHURST, Mr. BUTLER, Mr. ADDABBO, Mr. FOLEY, Mr. PANETTA, Mr. BROWN of California, Mr. FORSYTHE, Mr. WINN, Mr. EVANS of the Virgin Islands, Mrs. CHISHOLM, Mr. OBERSTAR, Mr. DUNCAN of Tennessee, Mr. DERWINSKI, Mr. FASCELL, Mr. PEPPER, Mr. SIMON, Mr. HARSHA, Mr. BARNES, Mr. FROST, Mr. GUDGER, Mr. GORE, Mr. VENTO, Mr. YOUNG of Alaska, Mr. FAZIO, Mr. LAFALCE, Mr. MITCHELL of Maryland, Mr. MARKS, Mrs. FENWICK, Mr. LIVINGSTON, Mr. FUQUA, Mr. STUDDS, Mr. LOTT, Mr. RAHALL, Mr. ALBOSTA, Mr. YATRON, Mr. MOFFETT, Mr. THOMPSON, Mrs. COLLINS of Illinois, Mr. PREYER, Mr. HUGHES, Mr. GOLDWATER, Mr. ROE, Mr. JEFFORDS, Mr. GRAY, Mr. MURPHY of Pennsylvania, Mr. BEDELL, and Mr. LUNGREN.

### DELETION OF SPONSORS

Under clause 4 of rule XXII, sponsors were deleted from public bills and resolutions as follows:

H.R. 4631: Mr. EMERY.  
H.R. 4717: Mr. ROYER.

### AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 5200

By Mr. SENSENBRENNER:

—Page 9, strike out line 4 and all that follows through line 18 and insert in lieu thereof the following:

Sec. 7. (a) Section 808(c) of the Act entitled "An Act to prescribe penalties for certain acts of violence or intimidation, and for other purposes" (Public Law 90-284, approved April 11, 1968) is amended by striking out "5362" and inserting "5372" in lieu thereof.

Page 18, strike out line 10 and all that follows through line 6 on page 30, and insert in lieu thereof the following:

"ENFORCEMENT BY SECRETARY; PRELIMINARY MATTERS

"Sec. 810. (a) Whenever an aggrieved person, or the Secretary on the Secretary's own initiative, files a charge alleging a discriminatory housing practice, the Secretary shall serve a notice of the alleged discriminatory housing practice on the party charged (hereinafter in this title referred to as the 'respondent') within 10 days after such filing, and shall make an investigation thereof. Upon receipt of such charge, the Secretary shall serve notice upon the aggrieved person acknowledging receipt of the charge and advising the aggrieved person of the time limits and choice of forums provided under this title. Such charges shall be in writing under oath or affirmation and shall contain such information and be in such form as the Secretary requires. An aggrieved person shall file a charge under this section with the Secretary not later than one year after the alleged discriminatory housing practice occurred or terminated. The Secretary may also



By Mr. PANETTA (for himself, Mr. JOHNSON of California, Mr. MINETA, Mr. COELHO, and Mr. FAZIO):

H.R. 8054. A bill to provide that certain regulations relating to ingredient labeling and advertising of wine shall not take effect unless they are amended to insure compliance by foreign producers; to the Committee on Ways and Means.

By Mr. PICKLE:

H.R. 8055. A bill to amend the Fair Labor Standards Act of 1938 to raise the dollar volume test coverage of employees of enterprises engaged in commerce or the production of goods for commerce to \$750,000; to the Committee on Education and Labor.

By Mr. ROSENTHAL:

H.R. 8056. A bill to amend title 13, United States Code, to correct for undercounting in the 1980 census; to the Committee on Post Office and Civil Service.

By Mr. SEIBERLING:

H.R. 8057. A bill to require aircraft manufacturers to remedy design and manufacturing defects in civil aircraft; and for other purposes; to the Committee on Public Works and Transportation.

By Mr. STARK (for himself, Mr. CORMAN, and Mr. ROUSSELOT):

H.R. 8058. A bill to amend the Internal Revenue Code of 1954 with respect to the limitation on the acceleration of the accrual of taxes; to the Committee on Ways and Means.

By Mr. TAUKE:

H.R. 8059. A bill to amend the Internal Revenue Code of 1954 to provide that the maximum reduction in valuation under the special estate tax valuation for certain farm, small business etc., real property shall be increased to \$1 million and to provide an inflation adjustment for such amount; to the Committee on Ways and Means.

By Mr. DIXON:

H.R. 8061. A bill making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1981, and for other purposes.

By Mr. FINDLEY:

H. Con. Res. 425. Concurrent resolution expressing the sense of the Congress that the Secretary of State should revoke the visas of aliens arrested for certain violent or illegal activities, and that the Attorney General should order the deportation of such aliens; to the Committee on the Judiciary.

By Mr. MINISH:

H. Con. Res. 426. Concurrent resolution expressing the sense of the Congress with respect to the prompt deportation or removal from the United States of aliens who have engaged in unlawful or disorderly activities in the United States; to the Committee on the Judiciary.

By Mr. WINN:

H. Con. Res. 427. Concurrent resolution expressing the sense of Congress in opposition to excessive violence in sports; to the Committee on Interstate and Foreign Commerce.

By Mr. COURTER (for himself, Mr. BURGNER, Mr. HOPKINS, Mr. BEREU-

TER, Mr. JEFFRIES, Mr. COLLINS of Texas, Mr. DANNEMEYER, Mr. ROUSSELOT, Mr. DERWINSKI, and Mrs. HOLT):

H. Res. 777. Resolution requesting the President to furnish certain information to the House of Representatives concerning the disclosure of classified information relating to the new so-called "Stealth" technology for military aircraft; to the Committee on Armed Services.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII,

Mr. RITTER presented a bill (H.R. 8060) for the relief of Victoria Moge, Hind Moge, Merwan Moge, and Manale Moge, which was referred to the Committee on the Judiciary.

## ADDITIONAL SPONSORS

Under clause 4 of rule XXII, sponsors were added to public bills and resolutions as follows:

H.R. 377: Mr. PORTER.

H.R. 466: Mrs. BOUQUARD.

H.R. 5225: Mr. GILMAN.

H.R. 5496: Mr. HOWARD, Mr. MINETA, Mr. BAUMAN, Mr. GORE, and Mr. STUDDS.

H.R. 6171: Mr. HARKIN and Mr. VENTO.

H.R. 6981: Mr. DOWNEY and Mr. SHUMWAY.

H.R. 7505: Mr. LUKEN.

H.R. 7773: Mr. LLOYD and Mr. PANETTA.

H.R. 7813: Mr. LOTT, Mr. BEVILL, Mr. GINN, Mr. ANDREWS of North Carolina, Mr. HUBBARD, Mr. HALL of Texas, Mr. JENNETTE, Mr. JEFFRIES, and Mr. WHITTAKER.

H.R. 7860: Mr. EDWARDS of Oklahoma, Mr. GRISHAM, Mr. BURGNER, Mr. WHITTAKER, Mr. ROYER, Mr. SYMMS, and Mr. COURTER.

H.R. 7885: Mr. COELHO, Mr. FORD of Michigan, Mr. PEPPER, Mr. NOLAN, Mr. OTTINGER, Mr. FROST, and Mr. SEIBERLING.

H.R. 7898: Mr. MURPHY of Pennsylvania and Mr. ROBERT W. DANIEL, Jr.

H.J. Res. 502: Mr. GUARINI, Mr. BONIOR of Michigan, Mr. ZABLOCKI, Mr. CORRADA, Mr. SEBELIUS, Mr. HOLLENBECK, Mr. JOHNSON of California, Mr. MAZZOLI, Mr. GREEN, Mrs. CHISHOLM, Mr. ROYER, Mr. FARY, Mr. PERKINS, and Mr. WOLFF.

H.J. Res. 511: Mr. ATKINSON, Mr. PASHAYAN, and Mr. BEVILL.

H. Con. Res. 405: Mr. HUTTO, Mr. BENJAMIN, Mr. WHITEHURST, Mr. FLIPPO, Mr. LEE, Mr. WHITTAKER, Mr. BEREUTER, Mr. HIGHTOWER, Mr. DERWINSKI, Mr. ROUSSELOT, Mr. ROE, Mrs. SPELLMAN, Mr. COLLINS of Texas, Mrs. SMITH of Nebraska, and Mr. ROSE.

H. Con. Res. 411: Mr. FISH, Mr. ROBINSON, Mr. BOLAND, Mr. PETRI, Mr. MURPHY of Pennsylvania, Mr. FORSYTHE, Mr. PATTEN, Mr. CHARLES WILSON of Texas, Mr. SCHEUER, Mr. CONTE, Mr. DOUGHERTY, Mr. DRINAN, Mr. WINN, Mr. WILLIAMS of Montana, Mr. HORTON, Mr. MCDADE, Mr. WEAVER, Mr. CHAPPELL, Mr. CLEVELAND, Mr. ERDAHL, Mr. BALDUS, Mr. STUDDS, Mr. ERTTEL, Mr. ALBOSTA, Mr. OBERSTAR, Mr. MOFFETT, Mr. DAVIS of Michigan, Mr. JENKINS, and Mr. MC EWEN.

H. Con. Res. 412: Mr. ANDREWS of North Carolina, Mr. BEDELL, Mr. BEREUTER, Mr. BETHUNE, Mr. BROYHILL, Mr. CAMPBELL, Mr. CORRADA, Mr. DERWINSKI, Mr. DUNCAN of Tennessee, Mr. EDWARDS of Oklahoma, Mrs. FENWICK, Mr. FORSYTHE, Mr. HORTON, Mr. HUTTO, Mr. GREEN, Mr. IRELAND, Mr. JEFFORDS, Mr. KRAMER, Mr. LAGOMARSINO, Mr. LEACH of Iowa, Mr. LEE, Mr. LOTT, Mr. MCCORMACK, Mr. MCDADE, Mr. McDONALD, Mr. MARLENEE, Mr. MITCHELL of Maryland, Mr. MURPHY of Illinois, Mr. OTTINGER, Mr. PANETTA, Mr. PORTER, Mr. RAILSBACK, Mr. RATCHFORD, Mr. ROE, Mr. SAWYER, Mr. STANGELAND, Mr. VANDER JAGT, Mr. WALKER, Mr. WHITEHURST, and Mr. WINN.

H. Res. 729: Mr. BADHAM, Mr. EDWARDS of Oklahoma, Mr. ROBERT W. DANIEL, Jr., and Mr. WON PAT.

H. Res. 736: Mr. HARKIN, Mr. GILMAN, and Mr. SIMON.

## PETITIONS, ETC.

Under clause 1 of rule XXII,

418. The SPEAKER presented a petition of Steven Louis Washington, Washington, D.C., relative to redress of grievances, which was referred to the Committee on Interstate and Foreign Commerce.

## AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted as follows:

H.R. 6721

By Mr. YOUNG of Missouri:

—Page 73, lines 16 and 17, strike out "Administrator of the Federal Aviation Administration" and insert in lieu thereof "Secretary".

Page 73, line 18, strike out "(subject to the requirements of section 5(h) of this Act)."

Page 73, line 21, strike out "Administrator" and insert in lieu thereof "Secretary".

Page 73, line 25, strike out "Administrator" and insert in lieu thereof "Secretary".

Page 74, line 23, strike out "Administrator" and insert in lieu thereof "Secretary".

H.R. 6777

By Mr. HINSON:

—On the second page, after line 14, insert the following new section:

Sec. 2. Section 3(b) of the Council on Wage and Price Stability Act is amended—

(1) by striking out "(1)" and inserting in lieu thereof "(A)";

(2) by striking out "(2)" and inserting in lieu thereof "(B)";

(3) by inserting "(1)" after "(b)"; and

(4) by adding at the end thereof the following new paragraph:

"(2) As a precondition for any person to impose a price increase, no officer or employee of the United States may require any person to submit, before such price increase takes effect, a notification of such price increase."

The message also announced that the House has passed the following bill, with an amendment in which it requests the concurrence of the Senate:

S. 1946. An act to reform the economic regulation of railroads, and for other purposes.

The message further announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5856. An act to amend title 32, United States Code, to allow Federal recognition as officers of the National Guard of members of the National Guard of the Virgin Islands in grades above the grade of colonel.

#### ENROLLED BILLS SIGNED

At 1:12 p.m., a message from the House of Representatives delivered by Mr. Gregory, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 261. An act to provide for the development of State plans for the construction and improvement of subterminal storage and transportation facilities for certain types of agricultural commodities within the State or within a group of States acting together on a regional basis, and to amend the Consolidated Farm and Rural Development Act to authorize loans for the construction and improvement of such facilities, and for other purposes;

S. 1650. An act to provide for the development of aquaculture in the United States, and for other purposes;

H.R. 5766. An act to authorize additional Reserve Officers Training Corps scholarships for the Army, to authorize the Secretary of the Army to provide that cadets awarded such scholarships may serve their obligated period of service in the Army Reserve or Army National Guard of the United States, to authorize the Secretary concerned to require an individual furnished post-secondary education by an Armed Force to reimburse the United States for the cost of such education in the event such individual fails to comply with such individual's active-duty obligation, to provide that certain full-time training duty of members of the National Guard shall be considered as active duty for training in Federal service for certain purposes, and for other purposes; and

H.R. 6940. An act to amend the Federal Food, Drug, and Cosmetic Act to strengthen the authority under that Act to assure the safety and nutrition of infant formulas, and for other purposes.

The enrolled bills were subsequently signed by the President pro tempore (Mr. MAGNUSON).

At 2:22 p.m., a message from the House of Representatives delivered by Mr. Berry, announced that the House has passed the following bills, each with an amendment in which it requests the concurrence of the Senate:

S. 2223. An act to permit any Indian to transfer by will restricted lands of such Indian to his or her heirs or lineal descendants, and other Indian persons; and

S. 2443. An act to authorize the Department of Energy to carry out a high-level nuclear waste management demonstration project at the Western New York Service Center in West Valley, New York.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 2170. An act to provide for the reimbursement of legal expenses incurred by the

city of Fairfax with respect to a 1971 entry and search by employees of the Federal Government;

H.R. 3765. An act to provide that marketing orders issued by the Secretary of Agriculture under the Agricultural Marketing Agreement Act respecting walnuts may provide for any form of marketing promotion, including paid advertising, and that marketing orders respecting walnuts and olives may provide for crediting certain direct expenditures of handlers for promotion of such commodities;

H.R. 6175. An act to provide that certain lands constituting part of the El Dorado National Forest be conveyed to certain persons who purchased and held such lands in good faith reliance on an inaccurate surveyor's map;

H.R. 6796. An act to amend and extend title VII of the Comprehensive Employment and Training Act; and

H.R. 7519. An act to amend section 2 of the Indian Claims Commission Act of August 13, 1946 (60 Stat. 1049; 25 U.S.C. 70a), as amended.

At 6:05 p.m., a message from the House of Representatives delivered by Mr. Berry, announced that the House agrees to the amendment of the Senate to the joint resolution (H.J. Res. 607) making an urgent supplemental appropriation for the Veterans' Administration for the fiscal year ending September 30, 1980.

#### ENROLLED JOINT RESOLUTION SIGNED

The message also announced that the Speaker has signed the following enrolled joint resolution:

H.J. Res. 607. Joint resolution making an urgent supplemental appropriation for the Veterans Administration for the fiscal year ending September 30, 1980.

(The enrolled joint resolution was subsequently signed by the President pro tempore (Mr. MAGNUSON).)

#### HOUSE BILLS REFERRED

The following bills were read twice by their titles and referred as indicated:

H.R. 5856. An act to amend title 32, United States Code, to allow Federal recognition as officers of the National Guard of members of the National Guard of the Virgin Islands in grades above the grade of colonel; to the Committee on Armed Services.

H.R. 6175. An act to provide that certain lands constituting part of the El Dorado National Forest be conveyed to certain persons who purchased and held such lands in good faith reliance on an inaccurate surveyor's map; to the Committee on Energy and Natural Resources.

H.R. 6796. An act to amend and extend title VII of the Comprehensive Employment and Training Act; to the Committee on Labor and Human Resources.

H.R. 7519. An act to amend section 2 of the Indian Claims Commission Act of August 13, 1946 (60 Stat. 1049; 25 U.S.C. 70a), as amended; to the Select Committee on Indian Affairs.

#### HOUSE BILLS HELD AT THE DESK

The following bills were ordered to be held at the desk:

H.R. 2170. An act to provide for the reimbursement of legal expenses incurred by the city of Fairfax with respect to a 1971 entry and search by employees of the Federal Government.

H.R. 3765. An act to provide that marketing orders issued by the Secretary of Agriculture under the Agricultural Marketing Agree-

ment Act respecting walnuts may provide for any form of marketing promotion, including paid advertising, and that marketing orders respecting walnuts and olives may provide for crediting certain direct expenditures of handlers for promotion of such commodities.

#### ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, September 16, 1980, he had presented to the President of the United States the following enrolled bills:

S. 261. An act to provide for the development of State plans for the construction and improvement of subterminal storage and transportation facilities for certain types of agricultural commodities within the State or within a group of States acting together on a regional basis, and to amend the Consolidated Farm and Rural Development Act to authorize loans for the construction and improvement of such facilities, and for other purposes;

S. 1625. An act to amend the Act of December 20, 1944, as amended; and

S. 1650. An act to provide for the development of aquaculture in the United States, and for other purposes.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BUMPERS, from the Committee on Energy and Natural Resources, without amendment:

S. 3116. An original bill to amend the National Historic Preservation Act of 1966, and for other purposes (Rept. No. 96-943).

By Mr. PELL, from the Committee on Rules and Administration, without amendment:

S. Res. 494. A resolution authorizing the printing of the report entitled "Progress in the Prevention and Control of Air Pollution in 1978 and 1979" as a Senate document (Rept. No. 96-944).

S. Res. 520. An original resolution relating to the purchase of calendars (Rept. No. 96-945).

By Mr. LONG, from the Committee on Finance, without amendment:

H.R. 7670. An act to amend title II of the Social Security Act to make necessary adjustments in the allocation of social security tax receipts between the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund (Rept. No. 96-946).

By Mr. PELL, from the Committee on Rules and Administration, without amendment:

S. Res. 510. A resolution authorizing supplemental expenditures by the Select Committee on Indian Affairs (Rept. No. 96-947).

By Mr. PELL, from the Committee on Rules and Administration, with an amendment (in the nature of a substitute):

S. Res. 448. A resolution to make the Select Committee on Indian Affairs a permanent committee of the Senate (Rept. No. 96-948).

By Mr. RANDOLPH, from the Committee on Environment and Public Works, without amendment:

S. Res. 521. An original resolution to waive section 402(a) of the Congressional Budget Act with respect to the consideration of S. 1480, creating an Environmental Emergency Response Fund to mitigate damages from spills of hazardous materials. Referred to the Committee on the Budget.

By Mr. HOLLINGS, from the Committee on Appropriations, with amendments:

H.R. 7584. An act making appropriations for the Departments of State, Justice, and

Commerce, the Judiciary, and related agencies for the fiscal year ending September 30, 1981, and for other purposes (together with additional views) (Rept. No. 96-949).

By Mr. KENNEDY, from the Committee on the Judiciary, with an amendment, an amendment to the title, and with a preamble:

S. Res. 482. A resolution to designate the third week of September of each year as "American Buffalo Week".

By Mr. KENNEDY, from the Committee on the Judiciary, without amendment, but with a preamble:

S.J. Res. 197. Joint resolution to authorize and request the President to issue a proclamation designating September 18, 1980, as "Constantino Brumidi Day".

H.J. Res. 594. Joint resolution to authorize and request the President to issue a proclamation designating September 18, 1980, as "Constantino Brumidi Day".

### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. BUMPERS (from the Committee on Energy and Natural Resources):

S. 3116. A bill to amend the National Historic Preservation Act of 1966, and for other purposes. Original bill reported and placed on the calendar.

By Mr. HEINZ:

S. 3117. A bill for the relief of Remigio Aquino and his wife Ines Aquino; to the Committee on the Judiciary.

By Mr. STONE:

S. 3118. A bill to require that the Secretary of Agriculture insure farmers of equitable opportunities to market their flue-cured tobacco, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. DURENBERGER:

S. 3119. A bill to amend the Internal Revenue Code of 1954 to provide limitations with respect to the issuance of mortgage revenue bonds the interest on which is exempt from the Federal income tax; to the Committee on Finance.

S. 3120. A bill to revise the boundary of Voyageurs National Park in the State of Minnesota, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. STONE:

S.J. Res. 203. Joint resolution to authorize and request the President to proclaim the month of October 1980 as "American White House Republic Month"; to the Committee on the Judiciary.

### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. STONE:

S. 3118. A bill to require that the Secretary of Agriculture insure farmers of equitable opportunities to market their flue-cured tobacco, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

#### MARKETING OF FLUE-CURED TOBACCO

● Mr. STONE. Mr. President, I am today introducing legislation to insure that flue-cured tobacco farmers have equitable opportunities to market their tobacco in an orderly and efficient manner.

The bill would amend the Tobacco Inspection Act to require the Secretary of Agriculture to insure that a sufficient number of inspectors are available to

allow all flue-cured tobacco auction warehouses to conduct not less than one sale each week during the flue-cured tobacco marketing season.

This is a matter that I had hoped would be handled administratively under existing law, and I urge the Department of Agriculture to do so.

The present situation is intolerable. Small tobacco markets in Florida and Georgia are being forced to cease to operate because of a lack of adequate selling time to service their local farmers. As a result, farmers are being forced to abandon the small markets that they have used over the years and are having to truck their tobacco longer distances to larger markets. This is necessary so that they can sell tobacco before it starts to deteriorate.

The bill includes other provisions—drawn in part from legislation requested by the Secretary of Agriculture and submitted to Congress last year—to improve the grower designation plan under which farmers designate the tobacco markets at which they intend to market their tobacco. Among other things, the bill would subject violators of marketing schedules to monetary penalties. Presently, the Department's only recourse is to temporarily withdraw inspection service for program violations. The closing of warehouses for lack of inspectors works to the obvious disadvantage of tobacco farmers.

I ask unanimous consent that the text of the bill be printed in the Record.

There being no objection, the bill was ordered to be printed in the Record, as follows:

#### S. 3118

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Tobacco Inspection Act is amended by—*

(1) inserting after section 5 new sections 6 and 7 as follows:

"SEC. 6. (a) In order to provide tobacco growers the opportunity to market their tobacco in an efficient and equitable manner, the Secretary may:

"(1) Require each tobacco grower to specify the location, warehouse, other facility or person through which or to whom the grower intends to market the grower's tobacco.

"(2) Issue marketing schedules that allocate available sales opportunity to locations, warehouses, other facilities, or persons through which tobacco is marketed. In developing such schedules the Secretary shall take into consideration the following factors:

"(A) the locations, warehouses, other facilities, or other persons at or through which tobacco growers have signified their intent to sell their tobacco;

"(B) the size of the tobacco crop;

"(C) the capacity of processing facilities;

"(D) weather and crop conditions; and

"(E) any other factors that the Secretary considers will affect the opportunity of tobacco growers to market their tobacco in an efficient and equitable manner.

"(3) Prohibit unfair methods of competition and unfair trade practices involving the sale and purchase of the growers' tobacco.

"(4) Provide a method for fixing the size, capacity, weight, dimensions, pack, or condition of the container or containers used in the marketing of the tobacco.

"(5) (A) Require periodic reports from growers, warehouses, purchasers of tobacco, processors of tobacco, and other persons. These reports shall be furnished in accordance with forms prescribed by the Secretary that may include, but not be limited to, (1)

the amount of tobacco by acreage that is planted or expected to be planted or the amount of tobacco expected to be produced, or both; (ii) the amount of tobacco sold at a warehouse or other facility during any period of time determined by the Secretary; (iii) the amount of tobacco purchased during any period of time specified by the Secretary or the amount expected to be purchased; and (iv) the amount of tobacco processed during any period of time specified by the Secretary or the amount of tobacco that a facility is capable of processing, or both.

"(B) Each person who is required to submit a report under this section shall maintain such records as are necessary to enable the Secretary to verify such reports. Such records shall be retained for a period of time specified by the Secretary. For the purpose of ascertaining the correctness of any report made to the Secretary under this section, or for the purpose of obtaining the information required in any such report where it has been requested and has not been furnished, the Secretary may examine such books, papers, records, copies of income tax reports, accounts, correspondence, contracts, documents, or memoranda, which the Secretary deems relevant and are within the control of (i) the person from whom such report was requested, (ii) any person having, either directly or indirectly, actual or legal control of or over the person from whom such report was requested, or (iii) any subsidiary of any such person.

"(C) All information furnished to or acquired by the Secretary under this section shall be kept confidential by all officers and employees of the Department of Agriculture and only such information as the Secretary deems relevant shall be disclosed by them and then only in a suit or administrative proceeding involving the Secretary's administration of this Act brought at the direction, or upon the request, of the Secretary, or to which the Secretary or the United States or any officer thereof is a party. Nothing in this section shall be deemed to prohibit (1) the issuance of general statements based upon the reports of a number of parties that do not identify the information furnished by any person or (2) the publication at the discretion of the Secretary, of the name of any person violating this Act. Any officer or employee of the Department of Agriculture violating the provisions of this section shall upon conviction be subject to a fine of not more than \$500 and shall be removed from office.

"(b) In developing marketing schedules under this section or any other provision of law, the Secretary shall insure that a sufficient number of inspectors are available to allow all flue-cured tobacco auction warehouses to conduct not less than one sale each week during the flue-cured tobacco marketing season.

"SEC. 7. (a) (1) Any warehouse or other person subject to a marketing schedule issued under section 6 of this Act who exceeds the sales opportunity specified in such marketing schedule shall forfeit to the United States a sum equal to one-third of the value of tobacco sold in excess of that authorized by the marketing schedule, which shall be paid to the Secretary. The value of such excess shall be computed by multiplying the average sales price of the tobacco sold during the relevant period by the amount of the excess tobacco sold.

"(2) Forfeitures under this section, that are not paid within thirty days after notice by the Secretary shall be recoverable in a civil suit brought by the Attorney General in the name of the United States.

"(3) Forfeitures received or recovered under this section shall be deposited in the Treasury of the United States.

"(b) (1) Any person, within twenty days after being notified by the Secretary that a forfeiture is due under this section and after

eligibility and an itemized statement of the amount claimed.

The new law further provides that the amount of any award may be reduced, or eliminated, to the extent that the prevailing party unduly and unreasonably protracted final resolution of the matter in controversy.

#### *Eligible fees and other expenses*

The new act makes eligible for award to prevailing parties the fees and other expenses of expert witnesses, reasonable costs of any study, analysis, engineering report, test or project found necessary for the preparation of the party's case and reasonable attorney or agent fees, generally less than \$75 per hour. However, the court is empowered to increase this hourly rate limitation to account for such factors as increases in the cost-of-living or the availability of qualified attorneys.

#### *Those eligible to claim*

P.L. 96-481 defines prevailing parties eligible for an award to include individuals and certain entities, except: in the case of individuals, those whose net worth at the initiation of the adversarial proceeding exceeded \$1 million; and, in the case of entities, those whose net worth at the initiation of the adversarial proceeding exceeded \$5 million or who had more than 500 employees. Charitable tax exempt organizations so designated under 501(c)(3) of the Internal Revenue Code and Agricultural co-ops defined in the Agricultural Marketing Act are exempt from the monetary ceiling but are subject to the employee ceiling.

#### *Awards of costs and fees otherwise prohibited*

The new act allows, upon review of the merits of an adversary adjudication in the court, an award of fees and other expenses to an otherwise eligible prevailing party. Specifically, this section authorizes an award from any court to prevailing parties who are otherwise entitled to fees and other expenses pursuant to § 504(a) but who are precluded from actual receipt until completion of a court review of the merits by reason of appeal. Additionally, the award of fees and other expenses as previously described is authorized to an otherwise eligible prevailing party that appeals to the court under the Contracts Disputes Act of 1978 in which case the fees and other expenses shall be those incurred during both the adversary adjudication and court proceeding.

#### *Source of funds for awards*

P.L. 96-481 authorizes the payment of any fee and other expenses award from any funds appropriated to any agency and if not paid by the agency then in the same manner as judgments under § 2414 and 2517 of title 28, U.S.C.

The conferees agreed that funds for an award of fees and other expenses shall come first from any funds appropriated to any agency; if not paid by the agency the award shall be paid in the same manner as judgments under § 2414 and 2517 of title 28 U.S.C., except that no awards shall be paid from Social Security Trust Funds as created under section 201 of the Social Security Act.

#### *Authorization*

There is authorized the appropriation of such sums as may be necessary for fiscal years 1982, 1983 and 1984.

#### *Reports*

P.L. 96-481 requires the Director of the Administrative Office of the United States Courts to report annually the number, nature and amount of fee awards, and other relevant information which would aid the Congress in evaluating the scope and impact of such awards.

#### *Sunset*

P.L. 96-481 repeals the provisions for the award of these fees and expenses three years after the bill becomes effective except for

actions commenced before the date of repeal.

#### *Effective date*

The Equal Access to Justice Act is effective October 1, 1981 and is applicable to adversary adjudications or civil actions pending on or commenced after that date.

### MESSAGES FROM THE HOUSE

At 2 p.m., a message from the House of Representatives, delivered by Mr. Gregory, one of its clerks, announced that the House has agreed to the amendment of the Senate to the bill (H.R. 39) to provide for the designation and conservation of certain public lands in the State of Alaska, including the designation of units of the National Park, National Wildlife Refuge, National Forest, National Wild and Scenic Rivers, and National Wilderness Preservation Systems, and for other purposes.

The message also announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 7112. An Act to authorize an extension and amendment of the revenue sharing program to provide general purpose fiscal assistance to local governments, and for other purposes;

H.R. 7942. An Act to approve and implement the protocol to the trade agreement relating to customs valuation, and for other purposes; and

H.R. 8329. An Act to allow the obsolete aircraft carrier United States ship *Intrepid* to be transferred to the Intrepid Museum Foundation, Incorporated, before the expiration of the otherwise applicable sixty-day congressional review period.

#### ENROLLED BILLS SIGNED

The message further announced that the Speaker has signed the following enrolled bills:

H.R. 1762. An Act to convey all interests of the United States in certain real property in Sandoval County, New Mexico, to Walter Hernandez;

H.R. 3459. An Act to waive the statute of limitations with regard to the claim of Eazor Express, Incorporated, of Pittsburgh, Pennsylvania, against the United States; and

H.R. 7764. An Act for the relief of Doctor Eric George Six, Ann Elizabeth Six, and Karen Elizabeth Mary Six.

The enrolled bills were subsequently signed by the Acting President pro tempore (Mr. PROXMIRE).

At 4:36 p.m., a message from the House of Representatives delivered by Mr. Gregory announced that the House disagrees to the amendment of the Senate to the amendment of the House to the bill (S. 1142) authorizing appropriations to the Secretary of the Interior for services necessary to the nonperforming arts functions of the John F. Kennedy Center for the Performing Arts, asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and appoints Mr. JOHNSON of California, Mr. LEVITAS, Mr. MCCORMACK, Mr. FLIPPO, Mr. DONNELLY, Mr. EDGAR, Mr. HARSHA, Mr. STANGELAND, and Mr. LIVINGSTON as managers of the conference on the part of the House.

The message also announced that the House has passed the bill (S. 2357) to eliminate the amount in controversy re-

quirement for Federal question jurisdiction.

The message further announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 5496. An Act to amend the National Historic Preservation Act of 1966, and for other purposes.

### HOUSE BILLS PLACED ON THE CALENDAR

The following bills were read twice by their titles and ordered placed on the calendar:

H.R. 5496. An Act to amend the National Historic Preservation Act of 1966, and for other purposes; and

H.R. 7112. An Act to authorize an extension and amendment of the revenue sharing program to provide general purpose fiscal assistance to local governments, and for other purposes.

### HOUSE BILL HELD AT THE DESK

The following bill was ordered held at the desk by unanimous consent:

H.R. 8329. An Act to allow the obsolete aircraft-carrier United States ship *Intrepid* to be transferred to the Intrepid Museum Foundation, Incorporated, before the expiration of the otherwise applicable sixty-day congressional review period.

### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, which were referred as indicated:

EC-4871. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Congressional Guidance Needed On Federal Cost Share Of Water Resource Projects When Project Benefits Are Not Widespread"; to the Committee on Environment and Public Works.

EC-4872. A communication from the Administrator of the General Services Administration, transmitting, pursuant to law, a proposed prospectus for construction of a new facility for the Internal Revenue Service, Midwest Service Center, Kansas City, Missouri; to the Committee on Environment and Public Works.

EC-4873. A communication from the Assistant Secretary of Energy for Environment, transmitting, pursuant to law, the Department's final environmental impact statement "Waste Isolation Pilot Plant"; to the Committee on Environment and Public Works.

EC-4874. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Trade Preference Program Decisions Could Be More Fully Explained"; to the Committee on Finance.

EC-4875. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report on time limitations for decisions on benefit claims under title II of the Social Security Act; to the Committee on Finance.

EC-4876. A communication from the Comptroller General of the United States, transmitting, pursuant to law, a report entitled "Federal And States Actions Needed To Overcome Problems In Administering The Title XX Program" to the Committee on Finance.

EC-4877. A communication from the Attorney General of the United States, transmitting, pursuant to law, notice that the

certain lands to be held in trust for the Moapa Band of Paiutes and to be considered to be a part of the Moapa Indian Reservation."

A motion to reconsider was laid on the table.

A similar House bill (H.R. 5584) was laid on the table.

#### GENERAL LEAVE

Mr. UDALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arizona?

There was no objection.

#### HISTORIC PRESERVATION AMENDMENTS

Mr. SEIBERLING. Mr. Speaker, I move to suspend the rules and pass the bill, H.R. 5496, to amend the National Historic Preservation Act of 1966, and for other purposes, as amended.

The Clerk read as follows:

H.R. 5496

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That this Act may be cited as the "National Historic Preservation Act Amendments of 1980".

#### TITLE I—FINDINGS AND POLICY OF NATIONAL HISTORIC PRESERVATION ACT

Sec. 101. (a) The first section of the Act of October 15, 1966 (16 U.S.C. 470-470t), hereinafter in this Act referred to as the "National Historic Preservation Act", is amended to read as follows:

"Sec. 1. (a) This Act may be cited as the 'National Historic Preservation Act'.

"(b) The Congress finds and declares that—

"(1) the spirit and direction of the Nation are founded upon and reflected in its historic heritage;

"(2) the historical and cultural foundations of the Nation should be preserved as a living part of our community life and development in order to give a sense of orientation to the American people;

"(3) historic properties significant to the Nation's heritage are being lost or substantially altered, often inadvertently, with increasing frequency;

"(4) the preservation of this irreplaceable heritage is in the public interest so that its vital legacy of cultural, educational, aesthetic, inspirational, economic, and energy benefits will be maintained and enriched for future generations of Americans;

"(5) in the face of ever-increasing extensions of urban centers, highways, and residential, commercial, and industrial developments, the present governmental and non-governmental historic preservation programs and activities are inadequate to insure future generations a genuine opportunity to appreciate and enjoy the rich heritage of our Nation;

"(6) the increased knowledge of our historic resources, the establishment of better means of identifying and administering them, and the encouragement of their preservation will improve the planning and execution of Federal and federally assisted projects and will assist economic growth and development; and

"(7) although the major burdens of historic preservation have been borne and major efforts initiated by private agencies and indi-

viduals, and both should continue to play a vital role, it is nevertheless necessary and appropriate for the Federal Government to accelerate its historic preservation programs and activities, to give maximum encouragement to agencies and individuals undertaking preservation by private means, and to assist State and local governments and the National Trust for Historic Preservation in the United States to expand and accelerate their historic preservation programs and activities.

"Sec. 2. It shall be the policy of the Federal Government, in cooperation with other nations and in partnership with the States, local governments, Indian tribes, and private organizations and individuals to—

"(1) use measures, including financial and technical assistance, to foster conditions under which our modern society and our prehistoric and historic resources can exist in productive harmony and fulfill the social, economic, and other requirements of present and future generations;

"(2) provide leadership in the preservation of the prehistoric and historic resources of the United States and of the international community of nations;

"(3) administer federally owned, administered, or controlled prehistoric and historic resources in a spirit of stewardship for the inspiration and benefit of present and future generations;

"(4) contribute to the preservation of nonfederally owned prehistoric and historic resources and give maximum encouragement to organizations and individuals undertaking preservation by private means;

"(5) encourage the public and private preservation and utilization of all usable elements of the Nation's historic built environment; and

"(6) assist State and local governments and the National Trust for Historic Preservation in the United States to expand and accelerate their historic preservation programs and activities."

#### TITLE II—HISTORIC PRESERVATION PROGRAM

Sec. 201. (a) Section 101 of the National Historic Preservation Act is amended to read as follows:

"Sec. 101. (a) (1) (A) The Secretary of the Interior is authorized to expand and maintain a National Register of Historic Places composed of districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, engineering, and culture.

"(B) Properties meeting the criteria for National Historic Landmarks established pursuant to paragraph (2) shall be designated as 'National Historic Landmarks' and included on the National Register, subject to the requirements of paragraph (6). All historic properties included on the National Register on the date of the enactment of the National Historic Preservation Act Amendments of 1980 shall be deemed to be included on the National Register as of their initial listing for purposes of this Act. All historic properties listed in the Federal Register of February 6, 1979, as 'National Historic Landmarks' or thereafter prior to the effective date of this Act are declared by Congress to be National Historic Landmarks of national historic significance as of their initial listing as such in the Federal Register for purposes of this Act and the Act of August 21, 1935 (49 Stat. 666); except that in cases of National Historic Landmark districts for which no boundaries have been established, boundaries must first be published in the Federal Register and submitted to the Committee on Energy and Natural Resources of the United States Senate and to the Committee on Interior and Insular Affairs of the United States House of Representatives.

"(2) The Secretary in consultation with national historical and archaeological associations, shall establish or revise criteria for

properties to be included on the National Register and criteria for National Historic Landmarks, and shall also promulgate or revise regulations as may be necessary for—

"(A) nominating properties for inclusion in, and removal from, the National Register and the recommendation of properties by certified local governments;

"(B) designating properties as National Historic Landmarks and removing such designation;

"(C) considering appeals from such recommendations, nominations, removals, and designations (or any failure or refusal by a nominating authority to nominate or designate);

"(D) nominating historic properties for inclusion in the World Heritage List in accordance with the terms of the Convention concerning the Protection of the World Cultural and Natural Heritage;

"(E) making determinations of eligibility of properties for inclusion on the National Register; and

"(F) notifying the owner of a property, any appropriate local governments, and the general public, when the property is being considered for inclusion on the National Register, for designation as a National Historic Landmark or for nomination to the World Heritage List.

"(3) Subject to the requirements of paragraph (6), any State which is carrying out a program approved under subsection (b), shall nominate to the Secretary properties which meet the criteria promulgated under subsection (a) for inclusion on the National Register. Subject to paragraph (6), any property nominated under this paragraph or under section 110(a)(2) shall be included on the National Register on the date forty-five days after receipt by the Secretary of the nomination and the necessary documentation, unless the Secretary disapproves such nomination within such forty-five day period or unless an appeal is filed under paragraph (5).

"(4) Subject to the requirements of paragraph (6) the Secretary may accept a nomination directly from any person or local government for inclusion of a property on the National Register only if such property is located in a State where there is no program approved under subsection (b). The Secretary may include on the National Register any property for which such a nomination is made if he determines that such property is eligible in accordance with the regulations promulgated under paragraph (2). Such determination shall be made within ninety days from the date of the nomination unless the nomination is appealed under paragraph (5).

"(5) Any person or local government may appeal to the Secretary a nomination of any historic property for inclusion on the National Register and may appeal to the Secretary the failure or refusal of a nominating authority to nominate a property in accordance with this subsection.

"(6) The Secretary shall promulgate regulations requiring that before any property or district may be included on the National Register or designated as a National Historic Landmark, the owner or owners of such property, or a majority of the owners of the properties within the district in the case of an historic district, shall be given the opportunity (including a reasonable period of time) to concur in, or object to, the nomination of the property or district for such inclusion or designation. If the owner or owners of any privately owned property, or a majority of the owners of such properties within the district in the case of an historic district, object to such inclusion or designation, such property shall not be included on the National Register or designated as a National Historic Landmark until such objection is withdrawn. The Secretary shall review the nomination of the property or district where any such



objection has been made and shall determine whether or not the property or district is eligible for such inclusion or designation, and if the Secretary determines that such property or district is eligible for such inclusion or designation, he shall inform the Advisory Council on Historic Preservation, the appropriate State Historic Preservation Officer, the appropriate chief elected local official and the owner or owners of such property, of his determination. The regulations under this paragraph shall include provisions to carry out the purposes of this paragraph in the case of multiple ownership of a single property.

"(7) The Secretary shall promulgate, or revise, regulations—

"(A) ensuring that significant prehistoric and historic artifacts, and associated records, subject to section 110 of this Act, the Act of June 27, 1960 (16 U.S.C. 469c), and the Archaeological Resources Protection Act of 1979 (16 U.S.C. 470aa and following) are deposited in an institution with adequate long-term curatorial capabilities;

"(B) establishing a uniform process and standards for documenting historic properties by public agencies and private parties for purposes of incorporation into, or complementing, the national historical architectural and engineering records within the Library of Congress; and

"(C) certifying local governments in accordance with subsection (c)(1) and for the allocation of funds pursuant to section 103(c) of this Act.

"(b)(1) The Secretary in consultation with the National Conference of State Historic Preservation Officers and the National Trust for Historic Preservation shall promulgate or revise regulations for State Historic Preservation Programs. Such regulations shall provide that a State program submitted to the Secretary under this section shall be approved by the Secretary if he determines that the program—

"(A) provides for the designation and appointment by the Governor of a 'State Historic Preservation Officer' to administer such program in accordance with paragraph (3) and for the employment or appointment by such officer of such professionally qualified staff as may be necessary for such purposes;

"(B) provides for an adequate and qualified State historic preservation review board designated by the State Historic Preservation Officer unless otherwise provided for by State law; and

"(C) provides for adequate public participation in the State Historic Preservation Program, including the process of recommending properties for nomination to the National Register.

"(2) Periodically, but not less than every four years after the approval of any State program under this subsection, the Secretary shall evaluate such program to make a determination as to whether or not it is in compliance with the requirements of this Act. If at any time, the Secretary determines that a State program does not comply with such requirements, he shall disapprove such program, and suspend in whole or in part assistance to such State under subsection (d)(1), unless there are adequate assurances that the program will comply with such requirements within a reasonable period of time. The Secretary may also conduct periodic fiscal audits of State programs approved under this section.

"(3) It shall be the responsibility of the State Historic Preservation Officer to administer the State Historic Preservation Program and to—

"(A) in cooperation with Federal and State agencies, local governments, and private organizations and individuals, direct and conduct a comprehensive statewide survey of historic properties and maintain inventories of such properties;

"(B) identify and nominate eligible properties to the National Register and otherwise administer applications for listing historic properties on the National Register;

"(C) prepare and implement a comprehensive statewide historic preservation plan;

"(D) administer the State program of Federal assistance for historic preservation within the State;

"(E) advise and assist, as appropriate, Federal and State agencies and local governments in carrying out their historic preservation responsibilities;

"(F) cooperate with the Secretary, the Advisory Council on Historic Preservation, and other Federal and State agencies, local governments, and organizations and individuals to ensure that historic properties are taken into consideration at all levels of planning and development;

"(G) provide public information, education, and training and technical assistance relating to the Federal and State Historic Preservation Programs; and

"(H) cooperate with local governments in the development of local historic preservation programs and assist local governments in becoming certified pursuant to subsection (c).

"(4) Any State may carry out all or any part of its responsibilities under this subsection by contract or cooperative agreement with any qualified nonprofit organization or educational institution.

"(5) Any State historic preservation program in effect under prior authority of law may be treated as an approved program for purposes of this subsection until the earlier of—

"(A) the date on which the Secretary approves a program submitted by the State under this subsection, or

"(B) three years after the date of the enactment of the National Historic Preservation Act Amendments of 1980.

"(c)(1) Any State program approved under this section shall provide a mechanism for the certification by the State Historic Preservation Officer of local governments to carry out the purposes of this Act and provide for the transfer, in accordance with section 103(c), of a portion of the grants received by the States under this Act, to such local governments. Any local government shall be certified to participate under the provisions of this section if the applicable State Historic Preservation Officer, and the Secretary, certifies that the local government—

"(A) enforces appropriate State or local legislation for the designation and protection of historic properties;

"(B) has established an adequate and qualified historic preservation review commission by State or local legislation;

"(C) maintains a system for the survey and inventory of historic properties that furthers the purposes of subsection (b);

"(D) provides for adequate public participation in the local historic preservation program, including the process of recommending properties for nomination to the National Register; and

"(E) satisfactorily performs the responsibilities delegated to it under this Act.

Where there is no approved State program, a local government may be certified by the Secretary if he determines that such local government meets the requirements of subparagraphs (A) through (E); and in any such case the Secretary may make grants-in-aid to the local government for purposes of this section.

"(2) (A) Before a property within the jurisdiction of the certified local government may be considered by the State to be nominated to the Secretary for inclusion on the National Register, the State Historic Preservation Officer shall notify the owner, the applicable chief local elected official, and the

local historic preservation commission. The commission, after reasonable opportunity for public comment, shall prepare a report as to whether or not such property, in its opinion, meets the criteria of the National Register. Within sixty days of notice from the State Historic Preservation Officer, the chief local elected official shall transmit the report of the commission and his recommendation to the State Historic Preservation Officer. Except as provided in subparagraph (B), after receipt of such report and recommendation, or if no such report and recommendation are received within sixty days, the State shall make the nomination pursuant to section 101(a). The State may expedite such process with the concurrence of the certified local government.

"(B) If both the commission and the chief local elected official recommend that a property not be nominated to the National Register, the State Historic Preservation Officer shall take no further action, unless within thirty days of the receipt of such recommendation by the State Historic Preservation Officer an appeal is filed with the State. If such an appeal is filed, the State shall follow the procedures for making a nomination pursuant to section 101(a). Any report and recommendations made under this section shall be included with any nomination submitted by the State to the Secretary.

"(3) Any local government certified under this section or which is making efforts to become so certified shall be eligible for funds under the provisions of section 103(c) of this Act, and shall carry out any responsibilities delegated to it in accordance with such terms and conditions as the Secretary deems necessary or advisable.

"(d)(1) The Secretary shall administer a program of matching grants-in-aid to the States for historic preservation projects, and State historic preservation programs, approved by the Secretary and having as their purpose the identification of historic properties and the preservation of properties included on the National Register.

"(2) The Secretary shall administer a program of matching grant-in-aid to the National Trust for Historic Preservation in the United States, chartered by Act of Congress approved October 26, 1949 (63 Stat. 927), for the purposes of carrying out the responsibilities of the National Trust.

"(3) (A) In addition to the programs under paragraphs (1) and (2), the Secretary shall administer a program of direct grants for the preservation of properties included on the National Register. Funds to support such program annually shall not exceed 10 per centum of the amount appropriated annually for the fund established under section 108. These grants may be made by the Secretary, in consultation with the appropriate State Historic Preservation Officer—

"(i) for the preservation of National Historic Landmarks which are threatened with demolition or impairment and for the preservation of historic properties of World Heritage significance,

"(ii) for demonstration projects which will provide information concerning professional methods and techniques having application to historic properties,

"(iii) for the training and development of skilled labor in trades and crafts, and in analysis and curation, relating to historic preservation; and

"(iv) to assist persons or small businesses within any historic district included in the National Register to remain within the district.

"(B) The Secretary may also, in consultation with the appropriate State Historic Preservation Officer, make grants or loans or both under this section to Indian tribes and to nonprofit organizations representing ethnic or minority groups for the preservation of their cultural heritage.

"(C) Grants may be made under subpara-

graph (A)(i) and (iv) only to the extent that the project cannot be carried out in as effective a manner through the use of an insured loan under section 104.

"(e) No part of any grant made under this section may be used to compensate any person intervening in any proceeding under this Act.

"(f) In consultation with the Advisory Council on Historic Preservation, the Secretary shall promulgate guidelines for Federal agency responsibilities under section 110 of this title.

"(g) Within one year after the date of enactment of the National Historic Preservation Act Amendments of 1980, the Secretary shall establish, in consultation with the Secretaries of Agriculture and Defense, the Smithsonian Institution, and the Administrator of the General Services Administration, professional standards for the preservation of historic properties in Federal ownership or control.

"(h) The Secretary shall develop and make available to Federal agencies, State and local governments, private organizations and individuals, and other nations and international organizations pursuant to the World Heritage Convention, training in, and information concerning, professional methods and techniques for the preservation of historic properties and for the administration of the historic preservation program at the Federal, State, and local level. The Secretary shall also develop mechanisms to provide information concerning historic preservation to the general public including students."

SEC. 202. (a) Section 102(a)(3) of the National Historic Preservation Act is amended to read as follows:

"(3) for more than 50 per centum of the aggregate cost of carrying out projects and programs specified in sections 101(d)(1) and (2) in any one fiscal year, except that for the costs of State or local historic surveys or inventories the Secretary shall provide 70 per centum of the aggregate cost involved in any one fiscal year."

(b) Section 102(a) of such Act is amended by adding the following at the end thereof: "Except as permitted by other law, the State share of the costs referred to in paragraph (3) shall be contributed by non-Federal sources. Notwithstanding any other provision of law, no grant made pursuant to this Act shall be treated as taxable income for purposes of the Internal Revenue Code of 1954."

(c) Subsection (c) of section 102 of such Act is repealed.

SEC. 203. (a) Subsection (b) of section 103 of the National Historic Preservation Act is amended by inserting after "projects" the words "and programs" and by striking out the second sentence thereof and substituting the following: "The Secretary shall notify each State of its apportionment under this subsection within thirty days following the date of enactment of legislation appropriating funds under this Act."

(b) Section 103 of such Act is amended by adding at the end thereof the following:

"(c) A minimum of 10 per centum of the annual apportionment distributed by the Secretary to each State for the purposes of carrying out this Act shall be transferred by the State, pursuant to the requirements of this Act, to local governments which are certified under section 101(c) for historic preservation projects or programs of such local governments. In any year in which the total annual apportionment to the States exceed \$65,000,000, one half of the excess shall also be transferred by the States to local governments certified pursuant to section 101(c).

"(d) The Secretary shall establish guidelines for the use and distribution of funds under subsection (c) to insure that no local government receives a disproportionate share of the funds available, and may include a maximum or minimum limitation on

the amount of funds distributed to any single local government. The guidelines shall not limit the ability of any State to distribute more than 10 per centum of its annual apportionment under subsection (c), nor shall the Secretary require any State to exceed the 10 per centum minimum distribution to local governments."

SEC. 204. Section 104 of the National Historic Preservation Act is amended to read as follows:

"Sec. 104. (a) The Secretary shall establish and maintain a program by which he may, upon application of a private lender, insure loans (including loans made in accordance with a mortgage) made by such lender to finance any project for the preservation of a property included on the National Register.

"(b) A loan may be insured under this section only if—

"(1) the loan is made by a private lender approved by the Secretary as financially sound and able to service the loan properly;

"(2) the amount of the loan, and interest rate charged with respect to the loan, do not exceed such amount, and such a rate, as is established by the Secretary, by rule;

"(3) the Secretary has consulted the appropriate State Historic Preservation Officer concerning the preservation of the historic property;

"(4) the Secretary has determined that the loan is adequately secured and there is reasonable assurance of repayment;

"(5) the repayment period of the loan does not exceed the lesser of forty years or the expected life of the asset financed;

"(6) the amount insured with respect to such loan does not exceed 90 per centum of the loss sustained by the lender with respect to the loan; and

"(7) the loan, the borrower, and the historic property to be preserved meet other terms and conditions as may be prescribed by the Secretary, by rule, especially terms and conditions relating to the nature and quality of the preservation work.

The Secretary shall consult with the Secretary of the Treasury regarding the interest rate of loans insured under this section.

"(c) The aggregate unpaid principal balance of loans insured under this section and outstanding at any one time may not exceed the amount which has been covered into the Historic Preservation Fund pursuant to section 108 and subsections (g) and (i) of this section, as in effect on the date of the enactment of this Act but which has not been appropriated for any purpose.

"(d) Any contract of insurance executed by the Secretary under this section may be assignable, shall be an obligation supported by the full faith and credit of the United States, and shall be incontestable except for fraud or misrepresentation of which the holder had actual knowledge at the time it became a holder.

"(e) The Secretary shall specify, by rule and in each contract entered into under this section, the conditions and method of payment to a private lender as a result of losses incurred by the lender on any loan insured under this section.

"(f) In entering into any contract to insure a loan under this section, the Secretary shall take steps to assure adequate protection of the financial interests of the Federal Government. The Secretary may—

"(1) in connection with any foreclosure proceeding, obtain, on behalf of the Federal Government, the property securing a loan insured under this title; and

"(2) operate or lease such property for such period as may be necessary to protect the interest of the Federal Government and to carry out subsection (g).

"(g)(1) In any case in which a historic property is obtained pursuant to subsection (f), the Secretary shall attempt to convey such property to any governmental or non-

governmental entity under such conditions as will ensure the property's continued preservation and use; except that if, after a reasonable time, the Secretary, in consultation with the advisory Council on Historic Preservation, determines that there is no feasible and prudent means to convey such property and to ensure its continued preservation and use, then the Secretary may convey the property at the fair market value of its interest in such property to any entity without restriction.

"(2) Any funds obtained by the Secretary in connection with the conveyance of any property pursuant to paragraph (1) shall be covered into the historic preservation fund, in addition to the amounts covered into such fund pursuant to section 108 and subsection (i) of this section, and shall remain available in such fund until appropriated by the Congress to carry out the purposes of this Act.

"(h) The Secretary may assess appropriate and reasonable fees in connection with insuring loans under this section. Any such fees shall be covered into the Historic Preservation Fund, in addition to the amounts covered into such fund pursuant to section 108 and subsection (g) of this section, and shall remain available in such fund until appropriated by the Congress to carry out purposes of this Act.

"(i) Notwithstanding any other provision of law, any loan insured under this section shall be treated as non-Federal funds for the purposes of satisfying any requirement of any other provision of law under which Federal funds to be used for any project or activity are conditioned upon the use of non-Federal funds by the recipient for payment of any portion of the costs of such project or activity.

"(j) Effective after the fiscal year 1981 there are authorized to be appropriated, such sums as may be necessary to cover payments incurred pursuant to subsection (e).

"(k) No debt obligation which is made or committed to be made, or which is insured or committed to be insured, by the Secretary under this section shall be eligible for purchase by, or commitment to purchase by, or sale or issuance to, the Federal Financing Bank."

SEC. 205. Section 108 of the National Historic Preservation Act is amended by inserting after the term "1981" the phrase "and \$150,000,000 for each of fiscal years 1982 through 1987".

SEC. 206. Title I of the National Historic Preservation Act is amended by adding the following new section at the end thereof:

"Sec. 110. (a)(1) The heads of all Federal agencies shall assume responsibility for the preservation of historic properties which are owned or controlled by such agency. Prior to acquiring, constructing, or leasing buildings for purposes of carrying out agency responsibilities, each Federal agency shall use, to the maximum extent feasible, historic properties available to the agency. Each agency shall undertake, consistent with the preservation of such properties and the mission of the agency and the professional standards established pursuant to section 101(f), any preservation, as may be necessary to carry out this section.

"(2) With the advice of the Secretary and in cooperation with the State historic preservation officer for the State involved, each Federal agency shall establish a program to locate, inventory, and nominate to the Secretary all properties under the agency's ownership or control by the agency, that appear to qualify for inclusion on the National Register in accordance with the regulations promulgated under section 101(a)(2)(A). Each Federal agency shall exercise caution to assure that any such property that might qualify for inclusion is not inadvertently transferred, sold, demolished, substantially altered, or allowed to deteriorate significantly.

"(b) Each Federal agency shall initiate measures to assure that where, as a result of Federal action or assistance carried out by such agency, an historic property is to be substantially altered or demolished, timely steps are taken to make or have made appropriate records, and that such records then be deposited, in accordance with section 101(a), in the Library of Congress or with such other appropriate agency as may be designated by the Secretary, for future use and reference.

"(c) The head of each Federal agency shall, unless exempted under section 214, designate a qualified official to be known as the agency's 'preservation officer' who shall be responsible for coordinating that agency's activities under this Act. Each Preservation Officer may, in order to be considered qualified, satisfactorily complete an appropriate training program established by the Secretary under section 101(g).

"(d) Consistent with the agency's missions and mandates, all Federal agencies shall carry out agency programs and projects (including those under which any Federal assistance is provided or any Federal license, permit, or other approval is required) in accordance with the purposes of this Act and, give consideration to programs and projects which will further the purposes of this Act.

"(e) The Secretary shall review and approve the plans of transferees of surplus federally owned historic properties not later than 90 days after his receipt of such plans to ensure that the prehistorical, historical, architectural, or culturally significant values will be preserved or enhanced.

"(f) Prior to the approval of any Federal undertaking which may directly and adversely affect any National Historic Landmark, the head of the responsible Federal agency shall, to the maximum extent possible, undertake such planning and actions as may be necessary to minimize harm to such landmark, and shall afford the Advisory Council on Historic Preservation a reasonable opportunity to comment on the undertaking.

"(g) Each Federal agency may include the costs of preservation activities of such agency under this Act as eligible project costs in all undertakings of such agency or assisted by such agency. The eligible project costs may also include amounts paid by a Federal agency to any State to be used in carrying out such preservation responsibilities of the Federal agency under this Act, and reasonable costs may be charged to Federal licensees and permittees as a condition to the issuance of such license or permit.

"(h) The Secretary shall establish an annual preservation awards program under which he may make monetary awards in amounts of not to exceed \$1,000 and provide citations for special achievement to officers and employees of Federal, State, and certified local governments in recognition of their outstanding contributions to the preservation of historic resources. Such program may include the issuance of annual awards by the President of the United States to any citizen of the United States recommended for such award by the Secretary.

"(i) Nothing in this Act shall be construed to require the preparation of an environmental impact statement where such a statement would not otherwise be required under the National Environmental Policy Act of 1969, and nothing in this Act shall be construed to provide any exemption from any requirement respecting the preparation of such a statement under such Act.

"(j) The Secretary shall promulgate regulations under which the requirements of this section may be waived in whole or in part in the event of a major natural disaster or an imminent threat to the national security."

SEC. 207. Title I of the National Historic

Preservation Act is amended by adding the following at the end thereof:

"SEC. 111. (a) Notwithstanding any other provision of law, any Federal agency may, after consultation with the Advisory Council on Historic Preservation, lease an historic property owned by the agency to any person or organization, or exchange any property owned by the agency with comparable historic property, if the agency head determines that the lease or exchange will adequately insure the preservation of the historic property.

"(b) The proceeds of any lease under subsection (a) may, notwithstanding any other provision of law, be retained by the agency entering into such lease and used to defray the costs of administration, maintenance, repair, and related expenses incurred by the agency with respect to such property or other properties which are on the National Register which are owned by, or are under the jurisdiction or control of, such agency. Any surplus proceeds from such leases shall be deposited into the Treasury of the United States at the end of the second fiscal year following the fiscal year in which such proceeds were received.

"(c) The head of any Federal agency having responsibility for the management of any historic property may, after consultation with the Advisory Council on Historic Preservation, enter into contracts for the management of such property. Any such contract shall contain such terms and conditions as the head of such agency deems necessary or appropriate to protect the interests of the United States and insure adequate preservation of the historic property."

SEC. 208. Notwithstanding section 7(a) of the Act of June 27, 1960 (16 U.S.C. 469c), or any other provision of law to the contrary—

(1) identification, surveys, and evaluation carried out with respect to historic properties within project areas may be treated for purposes of any law or rule of law as planning costs of the project and not as costs of mitigation;

(2) reasonable costs for identification, surveys, evaluation, and data recovery carried out with respect to historic properties within project areas may be charged to Federal licensees and permittees as a condition to the issuance of such license or permit; and

(3) Federal agencies, with the concurrence of the Secretary and after notification of the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate, are authorized to waive, in appropriate cases, the 1 per centum limitation contained in section 7(a) of such Act.

#### TITLE III—AMENDMENTS TO TITLE II OF NATIONAL HISTORIC PRESERVATION ACT

SEC. 301. (a) Section 201(a) of the National Historic Preservation Act is amended by striking out "twenty-nine" and all that follows and substituting: "the following members:

"(1) a Chairman appointed by the President selected from the general public;

"(2) the Secretary of the Interior;

"(3) the Architect of the Capitol;

"(4) the Secretary of Agriculture and the heads of four other agencies of the United States (other than the Department of the Interior) the activities of which affect historic preservation, appointed by the President;

"(5) one Governor appointed by the President;

"(6) one mayor appointed by the President;

"(7) the President of the National Conference of State Historic Preservation Officers;

"(8) the Chairman of the National Trust for Historic Preservation;

"(9) four experts in the field of historic preservation appointed by the President from the disciplines of architecture, history, archeology, and other appropriate disciplines; and

"(10) three at-large members from the general public, appointed by the President."

(b) Section 201(b) of such Act is amended by deleting (1) through (17) and substituting (2) through (8) (other than (5) and (6))" and by inserting the following before the period "except that, in the case of paragraphs (2) and (4), no such officer other than an Assistant Secretary or an officer having major department-wide or agency-wide responsibilities may be so designated".

(c) Section 201(c) of such Act is amended to read as follows:

"(c) Each member of the Council appointed under paragraph (1), and under paragraphs (9) and (10) of subsection (a) shall serve for a term of four years from the expiration of his predecessor's term; except that the members first appointed under that paragraph shall serve for terms of one to four years, as designated by the President at the time of appointment, in such manner as to insure that the terms of not more than two of them will expire in any one year. The members appointed under paragraphs (5) and (6) shall serve for the term of their elected office but not in excess of four years. An appointed member may not serve more than two terms. An appointed member whose term has expired shall serve until that member's successor has been appointed."

(d) Section 201(d) of such Act is amended to read as follows:

"(d) A vacancy in the Council shall not affect its powers, but shall be filled, not later than sixty days after such vacancy commences, in the same manner as the original appointment (and for the balance of any unexpired terms). The members of the Advisory Council on Historic Preservation appointed by the President under this Act as in effect on the day before the enactment of the National Historic Preservation Act Amendments of 1980 shall remain in office until all members of the Council, as specified in this section, have been appointed. The members first appointed under this section shall be appointed not later than one hundred and eighty days after the enactment of the National Historic Preservation Act Amendments of 1980."

(e) Section 201(e) of such Act is amended to read as follows:

"(e) The President shall designate a Vice Chairman, from the members appointed under paragraph (5), (6), (9), or (10). The Vice Chairman may act in place of the Chairman during the absence or disability of the Chairman or when the office is vacant."

(f) Section 201(f) of such Act is amended by deleting the word "Fifteen" and substituting in lieu thereof the word "Nine".

(g)(1) Section 202(a) of such Act is amended by striking out "and" after the semicolon in paragraph (4), by striking out the period at the end of paragraph (5) and inserting in lieu thereof a semicolon, and by adding at the end thereof the following new paragraphs:

"(6) review the policies and programs of Federal agencies and recommend to such agencies methods to improve the effectiveness, coordination, and consistency of those policies and programs with the policies and programs carried out under this Act; and

"(7) inform and educate Federal agencies, State and local governments, Indian tribes, other nations and international organiza-

tions and private groups and individuals as to the Council's authorized activities."

(2) Section 202(b) of such Act is amended by inserting the following before the period at the end thereof: "and shall provide the Council's assessment of current and emerging problems in the field of historic preservation and an evaluation of the effectiveness of the programs of Federal agencies, State and local governments, and the private sector in carrying out the purposes of this Act".

(h) Section 204 of such Act is amended by striking out the first sentence and so much of the second sentence as precedes the words "shall receive" and substituting "The members of the Council specified in paragraphs (2), (3), and (4) of section 201(a) shall serve without additional compensation. The other members of the Council".

(i) The third sentence of section 205(b) of such Act is amended by inserting after the words "whenever appropriate" the phrase ", including enforcement of agreements with Federal agencies to which the Council is a party".

(j) Section 205(g) of such Act is amended by (1) inserting after the word "duties" in the second sentence "and may also receive donations of moneys for such purpose, and the Executive Director is authorized, in his discretion, to accept, hold, use, expend, and administer the same for the purposes of this Act"; and (2) striking out "(1) through (16)" and substituting "(2) through (4)".

(k) Section 210 of such Act is amended by striking out the first sentence thereof.

(l) Section 211 of such Act is amended by adding the following at the end thereof: "The Council shall, by regulation, establish such procedures as may be necessary to provide for participation by local governments in proceedings and other actions taken by the Council with respect to undertakings referred to in section 106 which affect such local governments."

Sec. 302. (a) Title II of the National Historic Preservation Act is amended by adding the following new sections at the end thereof:

"Sec. 213. To assist the Council in discharging its responsibilities under this Act, the Secretary at the request of the Chairman, shall provide a report to the Council detailing the significance of any historic property, describing the effects of any proposed undertaking on the affected property, and recommending measures to avoid, minimize, or mitigate adverse effects.

"Sec. 214. The Council, with the concurrence of the Secretary, shall promulgate regulations or guidelines, as appropriate, under which Federal programs or undertakings may be exempted from any or all of the requirements of this Act when such exemption is determined to be consistent with the purposes of this Act, taking into consideration the magnitude of the exempted undertaking or program and the likelihood of impairment of historic properties."

(b) Section 212(b) of such Act is amended by striking out "Senate Committee on Interior and Insular Affairs" and substituting "Senate Committee on Energy and Natural Resources".

#### TITLE IV—INTERNATIONAL ACTIVITIES AND WORLD HERITAGE CONVENTION

Sec. 401. (a) The Secretary of the Interior shall direct and coordinate United States participation in the Convention Concerning the Protection of the World Cultural and Natural Heritage, approved by the Senate on October 26, 1973, in cooperation with the Secretary of State, the Smithsonian Institution, and the Advisory Council on Historic Preservation. Whenever possible, expenditures incurred in carrying out activities in cooperation with other nations and international organizations shall be paid for in such

excess currency of the country or area where the expense is incurred as may be available to the United States.

(b) The Secretary of the Interior shall periodically nominate properties he determines are of international significance to the World Heritage Committee on behalf of the United States. No property may be so nominated unless it has previously been determined to be of national significance. Each such nomination shall include evidence of such legal protections as may be necessary to ensure preservation of the property and its environment (including restrictive covenants, easements, or other forms of protection). Before making any such nomination, the Secretary shall notify the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate.

(c) No non-Federal property may be nominated by the Secretary of the Interior to the World Heritage Committee for inclusion on the World Heritage List unless the owner of the property concurs in writing to such nomination.

Sec. 402. Prior to the approval of any Federal undertaking outside the United States which may directly and adversely affect a property which is on the World Heritage List or on the applicable country's equivalent of the National Register, the head of a Federal agency having direct or indirect jurisdiction over such undertaking shall take into account the effect of the undertaking on such property for purposes of avoiding or mitigating any adverse effects.

#### TITLE V—GENERAL, ADMINISTRATIVE, AND MISCELLANEOUS PROVISIONS

Sec. 501. The National Historic Preservation Act is amended by adding the following new title at the end thereof:

##### "TITLE III

"Sec. 301. As used in this Act, the term—  
"(1) 'Agency' means agency as such term is defined in section 551 of title 5, United States Code, except that in the case of any Federal program exempted under section 214, the agency administering such program shall not be treated as an agency with respect to such program.

"(2) 'State' means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, the Commonwealth of the Northern Mariana Islands, and the Trust Territories of the Pacific Islands.

"(3) 'Local government' means a city, county, parish, township, municipality, or borough, or any other general purpose political subdivision of any State.

"(4) 'Indian tribe' means the governing body of any Indian tribe, band, nation, or other group which is recognized as an Indian tribe by the Secretary of the Interior and for which the United States holds land in trust or restricted status for that entity or its members. Such term also includes any Native village corporation, regional corporation, and Native Group established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1701 et seq.).

"(5) 'Historic property' or 'historic resource' means any prehistoric or historic district, site, building, structure, or object included in, or eligible for inclusion on the National Register; such term includes artifacts, records, and remains which are related to such a district, site, building, structure, or object.

"(6) 'National Register' or 'Register' means the National Register of Historic Places established under section 101.

"(7) 'Undertaking' means any action as described in section 106.

"(8) 'Preservation' or 'historic preservation' includes identification, evaluation, recordation, documentation, curation, acquisi-

tion, protection, management, rehabilitation, restoration, stabilization, maintenance and reconstruction, or any combination of the foregoing activities.

"(9) 'Cultural park' means a definable urban area which is distinguished by historic resources and land related to such resources and which constitutes an interpretive, educational, and recreational resource for the public at large.

"(10) 'Historic conservation district' means an urban area of one or more neighborhoods and which contains (A) historic properties, (B) buildings having similar or related architectural characteristics, (C) cultural cohesiveness, or (D) any combination of the foregoing.

"(11) 'Secretary' means the Secretary of the Interior except where otherwise specified."

(12) "State historic preservation review board" means a board, council, commission, or other similar collegial body established as provided in section 101(b)(1)(B)—

(A) the members of which are appointed by the State Historic Preservation Officer (unless otherwise provided for by State law),

(B) a majority of the members of which are professionals qualified in the following and related disciplines: history, prehistoric and historic archaeology, architectural history, and architecture, and

(C) which has the authority to—

(i) review National Register nominations and appeals from nominations;

(ii) review appropriate documentation submitted in conjunction with the Historic Preservation Fund;

(iii) provide general advice and guidance to the State Historic Preservation Officer; and

(iv) perform such other duties as may be appropriate.

(13) "Historic preservation review commission" means a board, council, commission, or other similar collegial body which is established by State or local legislation as provided in section 101(c)(1)(B), and the members of which are appointed, unless otherwise provided by State or local legislation, by the chief elected official of the jurisdiction concerned from among—

(A) professionals in the disciplines of architecture, history, architectural history, planning, archaeology, or related disciplines, to the extent such professionals are available in the community concerned, and

(B) such other persons as have demonstrated special interest, experience, or knowledge in history, architecture, or related disciplines and as will provide for an adequate and qualified commission.

"Sec. 302. Where appropriate, each Federal agency is authorized to expend funds appropriated for its authorized programs for the purposes of activities carried out pursuant to this Act, except to the extent appropriations legislation expressly provides otherwise.

"Sec. 303. (a) The Secretary is authorized to accept donations and bequests of money and personal property for the purposes of this Act and shall hold, use, expend, and administer the same for such purposes.

"(b) The Secretary is authorized to accept gifts or donations of less than fee interests in any historic property where the acceptance of such interests will facilitate the conservation or preservation of such properties. Nothing in this section or in any provision of this Act shall be construed to affect or impair any other authority of the Secretary under other provision of law to accept or acquire any property for conservation or preservation or for any other purpose.

"Sec. 304. The head of any Federal agency, after consultation with the Secretary, shall withhold from disclosure to the public, information relating to the location or character of historic resources whenever the head of the agency or the Secretary determines that the disclosure of such information may

create a substantial risk of harm, theft, or destruction to such resources or to the area or place where such resources are located.

"Sec. 305. In any civil action brought in any United States district court by any interested person to enforce the provisions of this Act, if such person substantially prevails in such action, the court may award attorneys' fees, expert witness fees, and other costs of participating in such action, as the court deems reasonable.

"Sec. 306. (a) In order to provide a national center to commemorate and encourage the building arts and to preserve and maintain a nationally significant building which exemplifies the great achievements of the building arts in the United States, the Secretary and the Administrator of the General Services Administration are authorized and directed to enter into a cooperative agreement with the Committee for a National Museum of the Building Arts, Incorporated, a non-profit corporation organized and existing under the laws of the District of Columbia, or its successor, for the operation of a National Museum for the Building Arts in the Federal Building located in the block bounded by Fourth Street, Fifth Street, F Street, and G Street, Northwest in Washington, District of Columbia. Such museum shall—

"(1) collect and disseminate information concerning the building arts, including the establishment of a national reference center for current and historic documents, publications, and research relating to the building arts;

"(2) foster educational programs relating to the history, practice and contribution to society of the building arts, including promotion of imaginative educational approaches to enhance understanding and appreciation of all facets of the building arts;

"(3) publicly display temporary and permanent exhibits illustrating, interpreting and demonstrating the building arts;

"(4) sponsor or conduct research and study into the history of the building arts and their role in shaping our civilization; and

"(5) encourage contributions to the building arts.

"(b) The cooperative agreement referred to in subsection (a) shall include provisions which—

"(1) make the site available to the Committee referred to in subsection (a) without charge;

"(2) provide, subject to available appropriations, such maintenance, security, information, janitorial and other services as may be necessary to assure the preservation and operation of the site; and

"(3) prescribe reasonable terms and conditions by which the Committee can fulfill its responsibilities under this Act.

"(c) The Secretary is authorized and directed to provide matching grants-in-aid to the Committee referred to in subsection (a) for its programs related to historic preservation. The Committee shall match such grants-in-aid in a manner and with such funds and services as shall be satisfactory to the Secretary, except that no more than \$500,000 may be provided to the Committee in any one fiscal year.

"(d) The renovation of the site shall be carried out by the Administrator with the advice of the Secretary. Such renovation shall, as far as practicable—

"(1) be commenced immediately,

"(2) preserve, enhance, and restore the distinctive and historically authentic architectural character of the site consistent with the needs of a national museum of the building arts and other compatible use, and

"(3) retain the availability of the central court of the building, or portions thereof, for appropriate public activities.

"(e) The Committee shall submit an annual report to the Secretary and the Administrator concerning its activities under this section and shall provide the Secretary and

the Administrator with such other information as the Secretary may, from time to time, deem necessary or advisable.

"(f) For purposes of this section, the term 'building arts' includes, but shall not be limited to, all practical and scholarly aspects of prehistoric, historic, and contemporary architecture, archaeology, construction, building technology and skills, landscape architecture, preservation and conservation, building and construction, engineering, urban and community design and renewal, city and regional planning, and related professions, skills, trades, and crafts.

"Sec. 307. (a) At least thirty days prior to publishing in the Federal Register any proposed regulation required by this Act, the Secretary shall transmit a copy of the regulation to the Committee on Interior and Insular Affairs of the House of Representatives and the Committee on Energy and Natural Resources of the Senate. The Secretary also shall transmit to such committees a copy of any fiscal regulation prior to its publication in the Federal Register. Except as provided in subsection (b) of this section, no final regulation of the Secretary shall become effective prior to the expiration of thirty calendar days after it is published in the Federal Register during which either or both Houses of Congress are in session.

"(b) In the case of an emergency, a final regulation of the Secretary may become effective without regard to the last sentence of subsection (a) if the Secretary notified in writing the Committee on Interior and Insular Affairs of the United States House of Representatives and the Committee on Energy and Natural Resources of the United States Senate setting forth the reasons why it is necessary to make the regulation effective prior to the expiration of the thirty-day period.

"(c) Except as provided in subsection (b), the regulation shall not become effective if, within ninety calendar days of continuous session of Congress after the date of promulgation, both Houses of Congress adopt a concurrent resolution, the matter after the resolving clause of which is as follows: 'That Congress disapproves the regulation promulgated by the Secretary dealing with the matter of \_\_\_\_\_, which regulation was transmitted to Congress on \_\_\_\_\_, the blank spaces therein being appropriately filled.

"(d) If at the end of sixty calendar days of continuous session of Congress after the date of promulgation of a regulation, no committee of either House of Congress has reported or been discharged from further consideration of a concurrent resolution disapproving the regulation, and neither House has adopted such a resolution, the regulation may go into effect immediately. If, within such sixty calendar days, such a committee has reported or been discharged from further consideration of such a resolution, the regulation may go into effect not sooner than ninety calendar days of continuous session of Congress after its promulgation unless disapproved as provided for.

"(e) For the purposes of this section—

"(1) continuity of session is broken only by an adjournment sine die; and

"(2) the days on which either House is not in session because of an adjournment of more than three days to a day certain are excluded in the computation of sixty and ninety calendar days of continuous session of Congress.

"(f) Congressional inaction on or rejection of a resolution of disapproval shall not be deemed an expression of approval of such regulation."

SEC. 502. The Secretary, in cooperation with the American Folklife Center of the Library of Congress shall, within two years after the date of the enactment of this Act, submit a report to the President and the Congress on preserving and conserving the intangible elements of our cultural heritage

such as arts, skills, folklife, and folkways. The report shall take into account the view of other public and private organizations, as appropriate. This report shall include recommendations for legislative and administrative actions by the Federal Government in order to preserve, conserve, and encourage the continuation of the diverse traditional prehistoric, historic, ethnic, and folk cultural traditions that underlie and are a living expression of our American heritage.

SEC. 503. The Advisory Council on Historic Preservation, in cooperation with the Secretary and the Secretary of the Treasury, shall submit a report to the President and the Congress on Federal tax laws relating to historic preservation or affecting in any manner historic preservation. Such report shall include recommendations respecting amendments to such laws which would further the purposes of this Act. Such report shall be submitted within one year after the date of enactment of this Act.

SEC. 504. The Secretary shall submit a report directly to the President and the Congress on or before June 1, 1986, reviewing the operation of the Historic Preservation Fund and the national historic preservation program since the enactment of this Act and recommending appropriate funding levels, the time period for the reauthorization for appropriations from the fund, and other appropriate legislative action to be undertaken upon the expiration of the current fund authorization.

SEC. 505. The Pennsylvania Avenue Development Corporation shall review the development plan for those parts of the development area which are not under development or committed for development as of the date of the enactment of this Act, to identify means by which the historic values of such parts of the development area may be preserved and enhanced to the maximum extent feasible. The foregoing review shall not be limited by the applicable provisions of the development plan in effect at the time of the reviews; nor shall the review require any actions by the Corporations during the course of the review or during its consideration by the Congress. Within one year of the date of this Act the Corporation shall submit to the appropriate committees of Congress a report containing the findings of the review required under this section, together with the Corporation's recommendations for any legislative measures or funding necessary to carry out the purposes of this section. The report shall also include a description of those activities which the Corporation proposes to undertake to carry out the purposes of this section and the financial implications of carrying out those activities.

SEC. 506. The Secretary shall undertake a comprehensive study and formulate recommendations for a coordinated system of cultural parks and historic conservation districts that provide for the preservation, interpretation, development, and use by public and private entities of the prehistoric, historic, architectural, cultural, and recreational resources found in definable urban areas throughout the Nation. The study shall propose alternatives concerning the management and funding of such system by public and private entities and by various levels of government. The Secretary shall submit a report of his study and recommendations to the President and the Congress within two years after the enactment of this Act.

SEC. 507. The Secretary, in cooperation with the Secretary of the Treasury, the Administrator of the United States Fire Administration, and the Administrator of the Federal Insurance Administration, shall submit a report to the President and the Congress on fire in historic properties. Such report shall include a review of Federal laws to determine any relationship between these laws and arson or fire by "suspicious origin", and



to make recommendations respecting amendments to such laws should a correlation be found to exist. Such report shall include the feasibility and necessity of establishing or developing protective measures at the Federal, State, or local level for the prevention, detection, and control of arson or fire by "suspicious origin" in historic properties. Such report shall also include recommendations regarding the Federal role in assisting the States and local governments with protecting historic properties from damage by fire. Such report shall be submitted within eighteen months after the date of enactment of this Act.

The SPEAKER pro tempore. Is a second demanded?

Mr. SEBELIUS. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from Ohio (Mr. SEIBERLING) will be recognized for 20 minutes, and the gentleman from Kansas (Mr. SEBELIUS) will be recognized for 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. SEIBERLING).

Mr. SEIBERLING. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as author of the original version of H.R. 5496, I am pleased to speak today on its behalf and on behalf of all those who support our Nation's historic preservation programs. I am doubly pleased because, as my friend and colleague Mr. PHILLIP BURTON pointed out, the bill before us is not the product of my efforts alone. It reflects a tremendous amount of work by Members on both sides of the aisle. This kind of bipartisan interest is indeed significant on such an important piece of legislation.

No list of commendations on this bill would be complete, however, without special mention of one of the guiding forces behind it—Mr. BURTON himself. His continuing spirit of coordination and compromise has been an inspiration to all of us.

Special thanks are due also to the distinguished chairman of the Committee on Interior and Insular Affairs, the gentleman from Arizona (Mr. UDALL), and to our ranking member, the gentleman from California (Mr. CLAUSEN). They have worked together to make this bill a truly bipartisan effort.

Another member who deserves great credit for helping to draft the final compromise version of this bill is the gentleman from Wyoming (Mr. CHENEY). He has been willing to listen to all points of view and to modify his own approach to the bill in response to identified needs and problems. The final version of the bill has been greatly improved because of his efforts.

Other significant contributions have been made by the ranking members of the Subcommittee on National Parks and Insular Affairs and the Subcommittee on Public Lands—the gentleman from Kansas (Mr. SEBELIUS), and the gentleman from Colorado (Mr. JOHNSON). Their knowledge and experience in historic preservation matters has been of great help to all of us.

In addition, several other members have contributed substantially to this

legislation. I would particularly like to commend Mr. BINGHAM from New York, Mr. SANTINI from Nevada, Mr. KOSTMAYER from Pennsylvania, Mr. VENTO from Minnesota, Mr. KOGOVSEK from Colorado, Mr. LUJAN from New Mexico, Mr. LAGOMARSINO, Mr. PASHAYAN from California, and Mr. BEREUTER from Nebraska.

As you can see, support for this bill comes not only from both sides of the aisle but from nearly every region of the country.

I would also like to mention the outstanding work of this bill accomplished by the staff of the committee and of several of the members. In particular, I would like to thank Gary Ellsworth and Clay Peters on the committee's minority staff, and Lee McElvain, Cleve Pinnex, and Loretta Neumann on the majority staff. Others who have worked hard on this legislation include Patty Howe on Mr. CHENEY's staff and Mike Rosenberg on Mr. BINGHAM's staff, and Pope Barrow of the Office of the Legislative Counsel.

Several officials within the administration were particularly helpful. Indeed, President Carter himself was one of the major proponents of legislation such as this, when he made enactment of a National Heritage Policy Act one of his priorities. Although this bill differs in a number of ways from his original proposal, it was the President's impetus and leadership that made this version possible.

Several officials within the administration deserve special thanks, including Mr. Robert Herbst, Assistant Secretary of the Interior for Fish, Wildlife and Parks, and his deputy, David Hales; Chris Delaporte, Director, Heritage Conservation and Recreation Service; Robert Garvey, Executive Director, Advisory Council on Historic Preservation; and Ross Holland, Assistant Director for Cultural Resources, National Park Service.

I would also like to point out that nearly 200 organizations have supported this legislation, including representatives of historic preservation, labor, industry and related professions and interests. At the end of my remarks I would like to insert in the Record a list of these organizations.

Several representatives of these organizations deserve special mention for the invaluable assistance they have provided on this bill. Among these are Nellie Longworth of Preservation Action; Larry Tise, Rodney Little, and Peter King of the National Conference of State Historic Preservation Officers; Michael Ainslie and Aubra Anthony of the National Trust for Historic Preservation; Ruthann Knudson of the Society for American Archeology; Cynthia Field of the Building Museum; Len Simon of the U.S. Conference of Mayors; and Kevin McCarty of the National League of Cities.

#### BACKGROUND AND SUMMARY OF BILL

Mr. Speaker, Federal programs for historic preservation have been in place for over 100 years. H.R. 5496 builds on this foundation of experience to provide affirmative direction for historic preservation programs in the years ahead.

H.R. 5496 would amend the National Historic Preservation Act of 1966. That

act was landmark legislation which established, for the first time, a partnership between the Federal Government and the States, and private sector. It broadened the national landmark program, established by the Congress in 1935, to create the National Register of Historic Places listing historic properties of the national, State, and local significance. The act also provided grants to States and the National Trust for Historic Preservation, and it created the Advisory Council on Historic Preservation to review the effects of Federal undertakings on historic properties.

H.R. 5496 would provide further definition and guidance for these programs to meet identified needs. It would establish criteria to qualify State historic preservation programs for increased authorities and reauthorize the Historic Preservation Fund through 1987 at its currently authorized level of \$150 million a year.

In addition the bill would, for the first time, provide for certification of local government programs and offer local governments an opportunity to participate in Federal financial assistance, in reviews of nominations to the National Register and in the reviews of Federal undertakings on historic properties within their jurisdictions.

The bill would also define Federal agency responsibilities and revise the structure of the Advisory Council on Historic Preservation. Other sections of the bill would provide for proper maintenance of archeological resources, procedures for implementing the World Heritage Convention, a loan insurance program, recognition of the National Museum of the Building Arts, and studies to provide information on historic preservation matters.

#### CHANGES IN THE BILL: "OWNER CONSENT"

The only major controversy over the bill centered on the so-called "owner consent" provision, adopted by the committee at the suggestion of Mr. CHENEY. The amendment required an owner's consent (or the majority of owners, in the case of an historic district) before a property could be included on the National Register or designated a national historic landmark.

We felt that the amendment would meet the concerns of property owners while maintaining the existing process for protecting historic properties. The committee version did not, for example, require an owner's consent for determinations of whether a property were eligible for inclusion or designation; if eligible, it would still receive the same protection in the event of a Federal undertaking that might adversely affect it.

Since adoption of that amendment, however, a number of issues and concerns related to the provision have been brought to our attention. As a result, Mr. CHENEY and I recommended a compromise provision, which is now incorporated into the bill.

Following is a brief outline of the changes that were made by this compromise:

Regulations would be required to give all owners notification and an oppor-

tunity to concur in or object to inclusion of a property on the National Register or designation as a national historic landmark.

Absent such objection, a property would be so included or designated.

If a private owner (or majority of private owners in an historic district) object, the property would not be included or designated. However, the Secretary of the Interior would then make a determination of eligibility on historic grounds and provide the information to the appropriate officials and the owner or owners.

The determination of eligibility would have no automatic side-effect on the actions of private owners, except for the usual review procedures in the event of a Federal undertaking.

An eligible property could subsequently be included or designated upon withdrawal of the objection.

Regulations would be required to deal with situations relating to multiple ownership of a single property.

I want to commend Mr. CHENEY for his thoughtfulness on this matter and his willingness to amend his original provision to meet many of the concerns that were addressed. Mr. CHENEY clearly has demonstrated a genuine concern for historic preservation and he has been sincerely interested in listening to all points of view on this issue.

I believe that the new version is a reasonable and workable compromise which adequately takes into account the concerns of private owners without seriously eroding the usefulness of the National Register as a planning tool and comprehensive historical record.

Key to this is the requirement that the Secretary make a determination of eligibility for those properties which are subject to an objection and therefore not included on the National Register. The objective information about the property's historical values would then be available for planning purposes on State and local inventories and for use by the Advisory Council in the event of a Federal undertaking that would adversely affect it.

Moreover, the new provision should be viewed in the context of the total bill. H.R. 5496 offers many incentives for properties to be included on the National Register. It is also one that offers many improvements in the national historic preservation program as a whole.

#### OTHER CHANGES

There are several changes in the bill at the desk which, although noncontroversial, are significant.

Others are merely technical or conforming changes.

Following is an explanation of the significant ones:

Section 101(a)(5) was amended to assure that the provision allowing appeals of National Register nominations would be directed to the Secretary of the Interior.

This change is not intended in any way to limit the rights of persons or local government to appeal to the courts for other remedies that are available. The purpose here, however, is to give any per-

son or local government an opportunity to appeal directly to the Secretary if a nominating authority has nominated a property which does not appear to meet the criteria of the National Register; it also allows them to appeal to the Secretary the failure or refusal of a nominating authority to nominate a property that does meet such criteria. The Secretary of the Interior has the authority to determine whether any property should be included on the National Register.

Section 110(e) was amended to place a 90-day time limit on the Secretary's review of the plans of transferees of surplus federally-owned historic properties prior to such transfer.

Under Executive Order 11593, the Secretary of the Interior reviews such plans to assure that properties are not damaged or destroyed. The new language assures that the Secretary makes these reviews in a timely manner.

Section 110(f) was amended to state that Federal agencies would to the maximum extent practicable (rather than possible) undertake such planning and actions as necessary to minimize harm to a national historic landmark which might be directly and adversely affected by a Federal undertaking.

Although the words generally carry the same interpretation, there was some concern that the word "possible" had too broad a connotation and might lead to unnecessary litigation.

Section 110(g) was amended to provide discretionary, rather than mandatory, authority to Federal agencies to use funds available for specific projects for related preservation activities.

This authority is in addition to that provided under the so-called Economy Act (general appropriations legislation) to spend funds in the pursuit of national policies without specific appropriations authorizations. This section is not meant to limit the authority of agencies to expend funds for environmental compliance related to their activities as, for example, is provided in section 302 of this bill.

Section 301 was amended to clarify the definition of "agency" to assure that all or part of an agency's programs, if they have minimal effect on historic properties, may be exempted from the provisions of this act.

The intent of this change is to clarify that exemptions may be made under sections 214; it is not, however, to permit the exemption of an individual undertaking from the requirements of section 106 merely because an agency desires to follow a more expedient route.

Section 302 was amended to express the intent that preservation activities conducted by Federal agencies will be funded from budgetary activities related to the preservation concern, and recognizes the constraints that might be added by appropriations legislation.

As with section 302, the purpose of this section is to assure that preservation activities are integrated into other appropriate agency activities. Thus, for example, the use of Forest Service timber cutting funds for preservation work related to the timber cutting is appropriate. On the other hand, the use of food

stamp funds, which is not related to preservation, would be precluded. The language is not meant to bar agencies from spending their operating funds, which are commonly used for environmental compliance activities, for these expenditures.

In addition, I would also like to offer clarification on the grants provided in section 101(d)(3)(A)(iv) on page 17 of the bill. Concern was raised as to whether or not these grants could be used to provide rent subsidies to residents or small businesses within historic districts. That is not the intent of this provision. Rather, it is meant to provide special grants in cases where existing residents and small businesses cannot obtain sufficient assistance from other programs, including the loan insurance program established by this bill. While the needs may be greater than this program can meet, I do feel that we should make some effort to give special assistance to residents and small businesses who may be adversely affected by renovation activities carried out in historic districts.

#### PRESERVE THE PAST, SAVE THE FUTURE

Lastly, I would like to add to comments that have been frequently made that historic preservation is part of our Nation's future.

One thing that has struck me in working on this legislation is that the term "historic preservation" encompasses so much that is important to all of us, regardless of our political persuasion or philosophy. It includes our everyday world, the places where we live and work, as well as remote archeological sites that hold the remains of previous generations. We share the need to preserve those tangible bonds that preserve our history as a people and a Nation.

What makes historic preservation different from other environmental concerns is that it is often so immediate and personal. We recognize that we cannot save everything. Indeed, as one historian pointed out, the problem with historic preservation is that structures start to deteriorate from the moment they are built. Yet once these historical places are gone, they are gone forever.

The best we can do is to preserve as much as we can for as long as we can. We are fortunate that those who came before us left us these treasures to enjoy. We must do the same for those who come after us.

The list follows:

#### ORGANIZATION SUPPORTING H.R. 5496

The National Trust for Historic Preservation.

Preservation Action.

The Coordinating Council of National Archaeological Societies.

The National Conference of State Historic Preservation Officers.

The National Center for Preservation Law.

The Museum for the Building Arts.

The U.S. Conference of Mayors.

The League of Cities.

American Horticultural Society.

San Antonio Conservation Society.

Society for Historical Archaeology.

Society for American Archaeology.

Society of Professional Archaeologists.

Cleveland Landmarks Commission.

Friends of Ohio Landmarks.

Historic Faubourg-St. Mary Corporation.  
Marshall Historical Society, MI.  
Landmarks Association of St. Louis, Inc.  
Society of Architectural Historians.  
Municipal Arts Society, NY.  
Connecticut Trust for Historic Preservation.

American Institute of Architects.

#### AMERICAN HERITAGE ALLIANCE

Adirondack Council.  
The Alabama Trust for Historic Preservation.  
America the Beautiful Fund.  
American Planning Association.  
American Society of Interior Designers.  
Audubon Naturalist Society of the Central Atlantic States, Inc.  
Center for Environmental Intern Programs.  
Center for the Hudson River Valley.  
Connecticut Association of Historic District Commissioners.  
The Conservation Foundation.  
Florida Trust for Historic Preservation.  
Friends of Pickering Creeks Conservation Trust, Inc.  
Friends of Cast Iron Architecture.  
Friends of the Earth.  
Great Lake Camp and Trail Association.  
Hampton Heritage Foundation, Inc.  
Hawaii Geographic Society.  
Heritage Hill Association.  
Historic Augusta.  
Historic Broward County Preservation Board.  
Historic Denver, Inc.  
Historic Fredericksburg Foundation, Inc.  
Historic Gettysburg-Adams County, Inc.  
Historic House Association of America.  
Historic Kansas City Foundation.  
Historic Nashville, Inc.  
Historic Preservation Trust of Lancaster, Pa.  
Historic St. Augustine Preservation Board.  
Izaak Walton League of America.  
Jacksonville Historic Landmarks Commission.  
Knoxville Heritage, Inc.  
Lehigh Valley Conservancy, Inc.  
Leonla Environmental Commission.  
Litchfield Historic District Commission.  
Maryland Association of Historic District Commissions.  
Morris County Trust for Historic Preservation.  
National Audubon Society.  
National Council for Preservation Education.  
National Parks and Conservation Association.  
National Wildlife Refuge Association.  
Natural Land Institute.  
Natural Resources Defense Council.  
Natural Science for Youth Foundation.  
The Nature Conservancy.  
The New Mexico Natural History Institute.  
New York Landmarks Conservancy.  
Partners for Livable Places.  
Piedmont Environmental Council.  
Public Lands Institute.  
The Sanibel-Captiva Conservation Foundation, Inc.  
Save the Dunes Council.  
Scenic Hudson Preservation Conference.  
Sierra Club.  
Society for Commercial Archaeology.  
Society for Industrial Archaeology.  
The Southern New Jersey Chapter of the Archaeological Society of New Jersey.  
Thorne Ecological Institute.  
The Trust for Public Land.  
The Victorian Society in America.  
The Wilderness Society.  
Historic Columbus Foundation.  
Wilderness Watch.  
The Preservation Resource Center of New Orleans.  
The Colonial Williamsburg Foundation.  
The Alabama Conservancy.  
Birmingham Historical Society, Al.

Early Settlers Association of the Western Reserve, Ohio.  
Cleveland Restoration Society.  
Quapaw Quarter Association, Ar.  
Macon Heritage Foundation, Ga.  
American Society for Conservation Archaeology.  
Archaeological Institute of America.  
Association for Field Archaeology.  
National Association of State Archaeologists.  
American Association of State and Local History.  
Historic Columbus Foundation, Inc., Ga.  
Townscape Institute, Inc., Ma.

#### ORGANIZATIONS ENDORSING THE NATIONAL BUILDING MUSEUM—H.R. 5496

##### AMERICAN ASSOCIATION OF ENGINEERING SOCIETIES

American Society of Civil Engineers.  
Western Society of Engineers.  
American Institute of Mining, Metallurgical and Petroleum Engineers, Inc.  
American Society of Mechanical Engineers.  
Cleveland Engineering Society.  
Institute of Electrical and Electronics Engineers.  
American Society for Engineering Education.  
Society of Naval Architects and Marine Engineers.  
American Society of Heating, Refrigeration and Air-Conditioning Engineers, Inc.  
Engineering Society of Detroit.  
Louisiana Engineering Society.  
Society of Automotive Engineers, Inc.  
Washington Society of Engineers.  
Illuminating Engineering Society of North America.  
Air Pollution Control Association.  
American Society of Agricultural Engineers.  
American Institute of Chemical Engineers.  
American Society of Safety Engineers.  
American Society for Metals.  
Society of Motion Picture and Television Engineers, Inc.  
National Council of Engineering Examiners.  
Society of American Military Engineers.  
Engineering Societies of New England, Inc.  
Institute of Transportation Engineers.  
American Institute of Aeronautics and Astronautics, Inc.  
Engineers' Council for Professional Development.  
Society of Manufacturing Engineers.  
National Society of Professional Engineers.  
National Institute of Ceramic Engineers.  
Society of Allied Weight Engineers, Inc.  
American Congress on Surveying and Mapping.  
Society of Plastics Engineers, Inc.  
Society of Experimental Stress Analysis.  
Instrument Society of America.  
National Association of Corrosion Engineers.  
Society of Packaging and Handling Engineers.  
American Society for Quality Control.  
Standards Engineers Society.  
American Institute of Industrial Engineers.  
International Material Management Society.  
International Material Management Society, New Jersey Chapter, Inc.  
Society of Fire Protection Engineers.  
Society of Women Engineers.  
American Institute of Plant Engineers.  
American Nuclear Society.  
American Society of Gas Engineers.  
American Academy of Environmental Engineers.  
American Association of Cost Engineers.  
Danville Engineers Club.  
American Consulting Engineers Council.  
Federation of Materials Societies.

Association for Cooperation in Engineering.  
American Institute of Architects.  
American Institute of Constructors.  
American Institute of Real Estate Appraisers.  
American Planning Association.  
American Society of Interior Designers.  
American Society of Landscape Architects.  
Associated General Contractors of America.  
Association of Collegiate Schools of Architecture.  
Association for Preservation Technology.  
Brick Institute of America.

##### BUILDING AND CONSTRUCTION TRADES DEPARTMENT, AFL-CIO

International Association of Heat and Frost Insulators and Asbestos Workers.  
International Brotherhood of Boilermakers, Iron Shipbuilders, Blacksmiths, Forgers and Helpers.  
International Union of Bricklayers and Allied Craftsmen.  
United Brotherhood of Carpenters and Joiners of America.  
International Brotherhood of Electrical Workers.  
International Union of Elevator Constructors.  
International Union of Operating Engineers.  
The Granite Cutters' International Association of America.  
International Association of Bridge, Structural and Ornamental Iron Workers.  
Laborers' International Union of North America.  
Tile, Marble, Terrazzo, Finishers and Shopmen International Union.  
International Brotherhood of Painters and Allied Trades.  
Operative Plasterers' and Cement Masons' International Association of the United States and Canada.  
United Union of Roofers, Waterproofers and Allied Workers.  
Sheet Metal Workers' International Association.  
United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry of the United States and Canada.  
COUNCIL OF AMERICAN BUILDING OFFICIALS  
Building Officials and Code Administrators International, Inc.  
Southern Building Code Congress International, Inc.  
International Conference of Building Officials.  
Cultural Alliance of Greater Washington.  
District of Columbia Office of Planning and Development.  
Greater Washington Board of Trade.  
Greater Washington Central Labor Council, AFL-CIO.  
National Association of Housing and Redevelopment Officials.  
National Construction Industry Council.  
National Institute of Building Sciences.  
National Trust for Historic Preservation.  
Neighborhood Development Collaborative.  
Sheet Metal and Air Conditioning Contractors National Association.  
Society of Architectural Historians.  
Society of Industrial Archeology.  
The Victorian Society in America.  
Washington Building Congress.  
Society for American Archeology.

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Mr. GRADISON. Mr. Speaker, will the gentleman yield?

Mr. SEIBERLING. I am glad to yield to gentleman from Ohio.

Mr. GRADISON. Mr. Speaker, I thank the gentleman from Ohio for yielding.

I want to thank the gentleman also for explaining the new provision with regard to owner consent.

As a member of the Committee on

ate, 62 of our colleagues cosponsored S. 43, but I would like to specifically mention Senators THURMOND, CANNON, and HEINZ who participated in our hearing and to Senator KENNEDY who graciously chaired the hearing and provided needed support all along the way.

In the House, I would like to say thanks to Representative JACK KEMP who sponsored the House companion bill, H.R. 2279. It was a pleasure for me to work with him and his staff assistant, Mr. Michael Castine. The measure could not have proceeded but for the understanding and interest of the chairman of the Administrative Law Subcommittee, Representative GEORGE DANIELSON and the ranking minority member of both the subcommittee and full committee, Representative ROBERT MCCLORY.

Their staffs assisted a great deal in laying the groundwork in the House for hearings and subcommittee and full committee markups and for keeping me well informed of House progress on the bill. Mr. Jim Lauer and Mr. Alan Coffey deserve our appreciation in this regard. There are many others who have had a hand in the passage of this bill and to everyone who believed in the efficacy of this legislation and helped to bring it to this point, on behalf of the National Ski Patrol System. I say thank you.●

Mr. ROBERT C. BYRD. Mr. President, on behalf of Mr. KENNEDY I move that the Senate concur in the amendment of the House.

The motion was agreed to.

#### NATIONAL HISTORIC PRESERVATION ACT AMENDMENTS OF 1980

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Order No. 1150, H.R. 5496.

The PRESIDING OFFICER. The bill will be stated by title.

The assistant legislative clerk read as follows:

A bill (H.R. 5496) to amend the National Historic Preservation Act of 1966, and for other purposes.

The Senate proceeded to the consideration of the bill.

● Mr. BUMPERS. Mr. President, this measure, which has been cleared on both sides, would reauthorize the existing national historic preservation program and make a number of improvements and innovations in the historic preservation program. I now ask unanimous consent that a summary of the bill's major provisions appear in the Record at this point.

H.R. 5496 would provide for:

Continuation of the National Register with national, State, and local significance, while properties deemed of national significance will be designated as "National Historic Landmarks";

Development and revision of regulations for the nomination of properties to the National Register that include notification, appeals, and local government participation;

Uniform documentation and curatorial procedures for properties, sites, artifacts, and records;

Revision of regulations to govern the State historic preservation programs requiring appointment of a State historic preservation officer to administer the following program components:

Comprehensive survey and inventory;  
Nomination of eligible properties to the National Register;

Comprehensive statewide historic preservation plan;

Public information, education, and training concerning the Federal and State programs;

Designation of a State review board; Cooperation with local governments, Federal and State agencies, and citizens;

Certification of qualified local governments for increased participation;

Matching grants-in-aid for projects and programs in the States and the National Trust for Historic Preservation;

Education and training programs for public officials at all levels of government;

Grants made under this act will not be taxable as income;

A sum of 70 percent Federal funding match for survey and planning at State and local levels;

A sum of 10 percent of State apportionment to be earmarked for local governments that are certified or working toward certification;

When the appropriation exceeds \$65 million for a single year, half of the excess will be earmarked for certified local governments; and

The sum of \$150 million authorization through 1987, the current level of authorization.

Federal agency responsibility to include:

Designation of a historic preservation officer in each agency;

Recording of data in event building listed or eligible must be altered or destroyed;

A higher standard will apply when a Federal undertaking will affect a National Historic Landmark;

Data recovery requirements with reasonable costs potentially being passed onto licensees, permittees, or grantees;

Lease provision with use of proceeds to defray preservation costs of other properties within the agency's jurisdiction; and

Preservation activity reasonable costs may be assumed by the agency or passed on to licensees or permittees.

The Department of the Interior may accept donations and bequests of money and personal property for the purposes of the program as well as easements;

Exemption from the Freedom of Information Act;

Reimbursement of private attorneys' fees in civil action brought in any U.S. district court as the court deems reasonable;

A loan insurance program for National Register properties;

Recognition of the National Museum of the Building Arts;

Report on intangible cultural resources within 2 years in cooperation with the American Folklife Center;

The council, in cooperation with Treasury, shall submit a report on Fed-

eral tax laws and a loan guarantee program within 1 year of enactment.

There were many people and organizations who have helped make this bill possible. Rather than recite them all at this point, I would like to refer to the CONGRESSIONAL RECORD of November 17, 1980 on pages 29826-29828, and add the deep gratitude of the Senate for their help.

Mr. President, I move the passage of H.R. 5496.●

The PRESIDING OFFICER. The bill is before the Senate and open to amendment. If there be no amendment to be offered, the question is on the third reading and passage of the bill.

The bill (H.R. 5496) was ordered to a third reading, was read the third time, and passed.

Mr. ROBERT C. BYRD. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. STEVENS. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

#### GASOHOL COMPETITION ACT OF 1980

Mr. ROBERT C. BYRD. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on S. 2251.

The PRESIDING OFFICER laid before the Senate the following message from the House of Representatives:

*Resolved*, That the bill from the Senate (S. 2251) entitled "An Act to amend the Clayton Act to prohibit restrictions on the use of credit instruments in the purchase of gasohol", do pass with the following amendment:

Strike out all after the enacting clause, and insert: That this Act may be cited as the "Gasohol Competition Act of 1980".

SEC. 2. The Clayton Act is amended by redesignating section 26 as section 27 and by inserting after section 25 the following new section:

"Sec. 26. (a) Except as provided in subsection (b), it shall be unlawful for any person engaged in commerce, in the course of such commerce, directly or indirectly to impose any condition, restriction, agreement, or understanding that—

"(1) limits the use of credit instruments in any transaction concerning the sale, resale, or transfer of gasohol or other synthetic motor fuel of equivalent usability in any case in which there is no similar limitation on transactions concerning such person's conventional motor fuel; or

"(2) otherwise unreasonably discriminates against or unreasonably limits the sale, resale, or transfer of gasohol or other synthetic motor fuel of equivalent usability in any case in which such synthetic or conventional motor fuel is sold for use, consumption, or resale within the United States.

"(b) (1) Nothing in this section or in any other provision of law in effect on the date of the enactment of this Act which is specifically applicable to the sale of petroleum products shall preclude any person referred to in subsection (a) from imposing a reasonable fee for credit on the sale, resale, or transfer of the gasohol or other synthetic motor fuel referred to in subsection (a) if such fee equals no more than the actual costs to such person of extending that credit.

"(2) The prohibitions in this section shall not apply to any person who makes available sufficient supplies of gasohol and other syn-

niversary of his death, that his visions and dream—things that cannot be shot down, meanings whose truths will not die, are still so far away from being a reality.

Reverend King used to speak of the day when all people can live together in harmony. But this phrase "live together in harmony" has more than just figurative meaning. For there is in fact no tool, no means, no method, that will so definitely bring about racial harmony when people of all races, religions and nationalities are free to live where they choose. For it is only when people can live and grow together that they are truly able to perceive the common feelings and experiences that serve as common bonds among all people and breed the kindness, love and understanding, that can help wipe out the misunderstanding and suspicions that lead to the evils of prejudice.

Mr. President, I hope that we will immediately proceed to consideration of this pressing legislation.

#### ORDER OF PROCEDURE

Mr. HATCH. Mr. President, it is my understanding that the distinguished majority leader would like to go to a resolution in honor of one of our colleagues and, perhaps, to one other matter which we have to resolve. It has also been the understanding that, at the conclusion of today, this matter will be the pending business again tomorrow.

Mr. ROBERT C. BYRD. It would be, yes, Mr. President.

Mr. HATCH. Starting the first thing in the morning.

Mr. ROBERT C. BYRD. Mr. President, it would be at least the underlying pending business. Conference reports are privileged, so if a privileged matter were called up, that matter would be pending in the morning. But this would be the underlying matter.

Mr. HATCH. I understand.

Mr. President, I thank the distinguished majority leader I yield the floor.

#### EXTENSION OF ROUTINE MORNING BUSINESS

Mr. ROBERT C. BYRD. Mr. President, I ask unanimous consent that the Senate resume the consideration of routine morning business for not to exceed 1 hour, and that Senators may speak during that period for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROBERT C. BYRD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEVIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### GEORGE ROGERS WINNING THE HEISMAN TROPHY

Mr. THURMOND. Mr. President, I have the high honor today of rising for

the purpose of extending my heartiest congratulations to Mr. George Rogers, senior tailback for the University of South Carolina football team, on the occasion of his winning the 1980 Heisman trophy. This trophy, the winner of which was announced earlier today, is given annually to America's top college football player.

During his career at South Carolina, George Rogers rushed for 4,958 yards, placing him fourth on the all-time collegiate rushing list. This season, George Rogers led the Nation in total rushing yardage and in average yards gained per game. In addition, George Rogers scored 14 touchdowns this past season, and has now rushed for over 100 yards in 21 straight games.

I would also like to take this opportunity to note that the University of South Carolina has been chosen as a participant in this year's Gator Bowl in Jacksonville, Fla. To George Rogers and the University of South Carolina football team, congratulations for a fine season and a job well done.

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Saunders, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session, the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### GOVERNING INTERNATIONAL FISHERIES AGREEMENT BETWEEN THE UNITED STATES AND PORTUGAL—PM 268

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with accompanying papers; which was referred to the Committee on Commerce, Science, and Transportation:

*To the Congress of the United States:*

In accordance with the Fishery Conservation and Management Act of 1976 (Public Law 94-265; 16 U.S.C. 1801), I transmit herewith a governing international fishery agreement between the United States and Portugal, signed at Washington on October 16, 1980.

This agreement is one of a series to be negotiated in accordance with that legislation. I urge that the Congress give favorable consideration to this agreement at an early date. Since 60 calendar days of continuous session, as required by the legislation, may not be available, I recommend that the Congress consider issuance of a joint resolution to bring this agreement into force.

JIMMY CARTER.

THE WHITE HOUSE, December 1, 1980.

#### PRESIDENTIAL APPROVAL

A message from the President of the United States reported that on November 26, 1980, he had approved and signed the following joint resolution:

S.J. Res. 156. Joint resolution to authorize the President to issue a proclamation designating the week of November 23, through 29, 1980, as "National Family Week."

#### ENROLLED BILLS PRESENTED

The Secretary reported that on Wednesday, November 26, 1980, he had presented to the President of the United States the following enrolled bills:

S. 1179. An act to incorporate the Gold Star Wives of America;

S. 1135. An act to provide for certain lands to be held in trust for the Maopla Band of Palutes and to be considered to be part of the Maopla Indian Reservation;

S. 1386. An act to amend the National Foundation on the Arts and The Humanities Act of 1965 and the Museum Services Act to extend the authorization of appropriations contained in such Acts, to amend the Arts and Artifacts Indemnity Act to make certain changes in the coverage provisions of such Act, and for other purposes;

S. 1578. An act for the relief of Doctor Halla Brown;

S. 1828. An act to exempt the existing facilities of the Milner Dam from section 14 of the Federal Power Act, and for other purposes;

S. 2352. An act to increase the authorization for the Council on Wage and Price Stability, to extend the duration of such Council, and for other purposes;

S. 2441. An act to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to extend the authorization of appropriations for such Act, and for other purposes;

S. 3152. An act to amend the Public Works and Economic Development Act of 1965 and the Appalachian Regional Development Act of 1965 to extend the authorization for such Acts for two additional years; and

S. 3193. An act to designate the Jacob K. Javits Federal Building.

#### MESSAGES FROM THE HOUSE

##### ENROLLED BILLS SIGNED

At 1:21 p.m., a message from the House of Representatives, delivered by Mr. Berry, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 5496. An act to amend the National Historic Preservation Act of 1966, and for other purposes; and

H.R. 6933. An act to amend the patent and trademark laws.

The enrolled bills were subsequently signed by the Acting President pro tempore (Mr. DeCONCINI).

At 5:06 p.m., a message from the House of Representatives, delivered by Mr. Gregory, one of its reading clerks, announced that the House has passed the following bill, with an amendment, in which it requests the concurrence of the Senate:

S. 2227. An act to grant the consent of the United States to the Red River Compact among the States of Arkansas, Louisiana, Oklahoma, and Texas.

The message also announced that the House has agreed to the amendment of the Senate to the following bill:



Mr. HILLIS.

Mr. CAMPBELL.

(The following Members (at the request of Mr. WEISS) and to include extraneous matter:)

Mr. KILDEE in two instances.

Mr. WOLFF in two instances.

Mr. STOKES in two instances.

Mr. GUDGER.

Mr. ASPIN.

Mr. HOLLAND in three instances.

Mr. FORD of Michigan in two instances.

Mr. MONTGOMERY.

Mr. SANTINI.

Mr. COELHO.

Mr. MOTTL.

Mr. ANDERSON of California in 10 instances.

Mr. GONZALEZ in 10 instances.

Mr. FORD of Tennessee.

Mr. VANIK in three instances.

Mr. ROSENTHAL in 10 instances.

Mrs. BOUQUARD in five instances.

Mr. HAMILTON in 10 instances.

Mr. BROWN of California in 10 instances.

Mr. ANNUNZIO in six instances.

Ms. HOLTZMAN in 10 instances.

Mr. JONES of Tennessee in 10 instances.

Mr. BONER of Tennessee in five instances.

Mr. CAVANAUGH in five instances.

Mr. SHANNON.

Mr. FOLEY.

Mr. GIBBONS

Mr. ROE.

Mr. WAXMAN.

Mr. STUDDS.

Mr. MURTHA.

Mr. D'AMOURS in three instances.

Mr. PEASE.

Mr. RODINO.

Mr. FUQUA.

Mr. BLANCHARD in two instances.

Mr. SWIFT.

Mr. VENTO.

Mrs. BYRON.

Mr. STARK in two instances.

Mr. ANTHONY

Mr. PHILLIP BURTON.

Mr. DE LA GARZA in 10 instances.

Mr. HEFNER.

Mr. LONG of Maryland.

Mr. SHELBY.

Mr. MATSUI in two instances.

Mr. FLORIO.

#### SENATE BILL AND CONCURRENT RESOLUTION REFERRED

A bill and concurrent resolution of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2542. An act to grant a Federal charter to the Italian American War Veterans of the United States of America; to the Committee on the Judiciary, and

S. Con. Res. 60. Concurrent resolution expressing the sense of the Congress with respect to the treatment of Christians by the Union of Soviet Socialist Republics, and for other purposes; to the Committee on Foreign Affairs.

#### SENATE ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The SPEAKER announced his signature to enrolled bills and a joint resolution of the Senate of the following titles:

S. 885. An act to assist the electrical consumers of the Pacific Northwest through use of the Federal Columbia River Power System to achieve cost-effective energy conservation, to encourage the development of renewable energy resources, to establish a representative regional power planning process, to assure the region of an efficient and adequate power supply, and for other purposes;

S. 1135. An act to provide for certain lands to be held in trust for the Moapa Band of Paiutes and to be considered to be part of the Moapa Indian Reservation;

S. 1179. An act to incorporate the Gold Star Wives of America;

S. 1386. An act to amend the National Foundation on the Arts and the Humanities Act of 1965 and the Museum Services Act to extend the authorization of appropriations contained in such acts, to amend the Arts and Artifacts Indemnity Act to make certain changes in the coverage provisions of such act, and for other purposes;

S. 1578. An act for the relief of Dr. Halla Brown;

S. 1828. An act to exempt the existing facilities of the Milner Dam from section 14 of the Federal Power Act, and for other purposes;

S. 1918. An act to amend title 10, United States Code, to revise and standardize the provisions of law relating to the appointment, promotion, separation, and mandatory retirement of regular commissioned officers of the Army, Navy, Air Force, and Marine Corps, to establish the permanent grade of commodore admiral in the Navy, to equalize the treatment of female commissioned officers with that of male commissioned officers, and for other purposes;

S. 2352. An act to increase the authorization for the Council on Wage and Price Stability, to extend the duration of such Council, and for other purposes;

S. 2441. An act to amend the Juvenile Justice and Delinquency Prevention Act of 1974 to extend the authorization of appropriations for such act, and for other purposes;

S. 3152. An act to amend the Public Works and Economic Development Act of 1965 and the Appalachian Regional Development Act of 1965 to extend the authorization for such acts for 2 additional years;

S. 3193. An act to designate the Jacob K. Javits Federal Building; and

S.J. Res. 156. Joint resolution to authorize the President to issue a proclamation designating the week of November 23 through 29, 1980, as "National Family Week";

#### ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. NEDZI, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 39. An act to provide for the designation and conservation of certain public lands in the State of Alaska, including the designation of units of the national park, national wildlife refuge, national forest, national wild and scenic rivers, and national wilderness preservation systems, and for other purposes;

H.R. 2583. An act to amend chapter 83 of title 5, United States Code, to discontinue civil service annuity payments for periods of unemployment as a justice or judge of the United States, and for other purposes;

H.R. 2510. An act to amend title 5, United States Code, to permit Federal employees to obtain review of certain disability determinations made by the Office of Personnel Management under the civil service retirement and disability system;

H.R. 4892. An act to repeal section 506 of the Communications Act of 1934;

H.R. 5108. An act to provide for the removal of the names of certain Alaska Natives from the Alaska Native roll and to allow their enrollment with the Metlakatla Indian Community;

H.R. 5496. An act to amend the National Historic Preservation Act of 1966, and for other purposes;

H.R. 6933. An act to amend the patent and trademark laws;

H.R. 7698. An act for the relief of two mining claimants;

H.R. 7960. An act to provide for the setting aside in special trust lands and interests within the Winema National Forest to Edison Chiloquin and for the transfer of moneys otherwise available to Mr. Chiloquin from the Klamath Indian Settlement to the Secretary of Agriculture for the acquisition of replacement lands or interests;

H.R. 8117. An act to amend the Safe Drinking Water Act, and for other purposes; and

H.J. Res. 634. Joint resolution to authorize the U.S. Secret Service to continue to furnish protection to the former Vice President or his spouse;

#### BILLS AND A JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. NEDZI, from the Committee on House Administration, reported that that committee did on the following days present to the President, for his approval, bills and a joint resolution of the House of the following titles:

On November 21, 1980:

H.R. 3765. An act to increase the minimum price support loan rates for wheat, feed grains, and soybeans, to improve the farmer-held reserve program for wheat and feed grains, to establish a 5-year food security wheat reserve, and for other purposes;

H.R. 4084. An act to provide for a cooperative agreement between the Secretary of the Interior and the State of California to improve and manage the Suisun Marsh in California;

H.R. 7942. An act to approve and implement the protocol to the trade agreement relating to customs valuation, and for other purposes;

H.R. 8112. An act to require the Secretary of the Interior to convey a parcel of land located in Colorado and certain mineral interests to the Ute Mountain Ute Tribe and to pay an amount to such tribe for energy development; and

H.R. 8329. An act to allow the obsolete aircraft carrier U.S.S. *Intrepid* to be transferred to the Intrepid Museum Foundation, Inc., before the expiration of the otherwise applicable 60-day congressional review period;

On November 26, 1980:

H.R. 2510. An act to amend title 5, United States Code, to permit Federal employees to obtain review of certain disability determinations made by the Office of Personnel Management under the civil service retirement and disability system;

H.R. 2583. An act to amend chapter 83 of title 5, United States Code, to discontinue civil service annuity payments for periods of unemployment as a justice or judge of the United States, and for other purposes;

H.R. 4892. An act to repeal section 506 of the Communications Act of 1934;

H.R. 5108. An act to provide for the removal of the names of certain Alaska Natives from the Alaska Native roll and to allow their enrollment with the Metlakatla Indian Community;

H.R. 7698. An act for the relief of two mining claimants;

H.R. 7960. An act to provide for the setting aside in special trust lands and interests within the Winema National Forest to Edison Chiloquin and for the transfer of moneys

Conference agreement compared with:

New budget (obligational) authority, fiscal year 1980.....	+1,659,806,994
Budget estimates of new (obligational) authority, fiscal year 1981.....	-346,965,329
House bill, fiscal year 1981.....	-214,026,000
Senate bill, fiscal year 1981.....	+26,253,000

JAMIE L. WHITTEN,  
BILL D. BURLISON,  
BOB TRAXLER,  
BILL ALEXANDER,  
MATTHEW F. MCHUGH,  
WILLIAM H. NATCHER,  
JACK HIGHTOWER,  
TOM STEED,  
MARK ANDREWS,  
J. K. ROBINSON,  
JOHN T. MYERS,  
SILVIO O. CONTE,

*Managers on the Part of the House.*

TOM EAGLETON,  
JOHN C. STENNIS,  
WILLIAM PROXMIRE,  
ROBERT C. BYRD,  
BIRCH BAYH,  
LAWTON CHILES,  
QUENTIN N. BURDICK,  
JIM SASSER,  
WARREN G. MAGNUSON,  
HENRY BELLMON,  
MILTON R. YOUNG,  
JAMES A. MCCLURE,  
HARRISON H. SCHMITT,

*Managers on the Part of the Senate.*

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mr. RODINO (at the request of Mr. WRIGHT), for today, on account of illness in the family.

Mr. YATES (at the request of Mr. WRIGHT), for today, on account of illness.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. PERKINS, for 60 minutes, Wednesday, December 3, 1980.

Mr. MOAKLEY, for 1 hour, on December 3.

Mr. BOLAND, for 1 hour, on December 3.

(The following Members (at the request of Mr. SOLOMON), to revise and extend their remarks, and to include extraneous matter:)

Mr. EDWARDS of Alabama, for 1 hour, on December 3.

Mrs. HECKLER, for 5 minutes, on December 2.

Mr. HAMMERSCHMIDT, for 10 minutes, today.

Mr. MILLER of Ohio, for 10 minutes, today.

(The following Members (at the request of Mr. MATSUI) to revise and extend their remarks and include extraneous material:)

Mr. NELSON, for 5 minutes, today.

Mr. ANNUNZIO, for 5 minutes, today.

Mr. ROBERTS, for 5 minutes, today.

Mr. RANGEL, for 5 minutes, today.

Mr. YOUNG of Missouri, for 5 minutes, on December 3.

Mr. ROSTENKOWSKI, for 60 minutes, on December 4.

Mr. DINGELL, for 60 minutes, on December 4.

Mr. BLANCHARD, for 60 minutes, on December 4.

Mr. FORD of Michigan, for 60 minutes, on December 4.

Mr. WOLPE, for 60 minutes, on December 4.

Mr. BARNES, for 60 minutes, on December 4.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Ms. HOLTZMAN, to extend her remarks in the body of the RECORD, notwithstanding the fact that it exceeds two pages of the RECORD and is estimated by the Public Printer to cost \$1,768.50.

(The following Members (at the request of Mr. SOLOMON) and to include extraneous matter:)

Mr. KEMP in six instances.

Mr. CORCORAN.

Mr. DERWINSKI.

Mr. HORTON.

Mr. FINDLEY.

Mr. MCKINNEY.

Mr. ASHBROOK in two instances.

Mr. GREEN.

Mr. GILMAN in three instances.

Mr. PETRI.

Mr. VANDER JAGT.

Mr. RITTER in two instances.

Mr. REGULA in two instances.

Mr. HAGEDORN.

Mr. SCHULZE.

Mr. PORTER.

(The following Members (at the request of Mr. MATSUI) and to include extraneous matter:)

Mr. DIXON.

Mr. OTTINGER.

Mr. WOLFF in three instances.

Mr. ROBERTS.

Mrs. BYRON.

Mr. WAXMAN.

Mr. MAVROULES.

Mr. SKELTON.

Mr. MINETA.

Mr. MAZZOLI.

Mr. GAYDOS.

Mr. YATRON.

Mr. BARNES.

Mr. NOWAK.

Mr. WON PAT.

Mr. BEDELL.

Mr. FROST in five instances.

Mr. BOLLING.

Mr. ROSENTHAL.

Mr. FISHER.

Mr. STUDDS.

Mr. SOLARZ.

Mr. LELAND.

#### SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 878. An act to reform the laws relating to the provision of Federal assistance in order to provide State and local governments with greater flexibility in managing programs and projects using such assistance and thereby enable such governments to reduce adminis-

trative costs and emphasize the community priorities for which such assistance is provided; to the Committee on Government Operations and the Committee on Rules.

#### ENROLLED BILLS SIGNED

Mr. NEDZI, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 6889. An act entitled the "Methane Transportation Research, Development, and Demonstration Act of 1980"; and

H.R. 7724. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1981, and for other purposes.

#### BILLS PRESENTED TO THE PRESIDENT

Mr. NEDZI, from the Committee on House Administration, reported that that committee did on December 1, 1980, present to the President, for his approval, bills of the House of the following titles:

H.R. 39. An act to provide for the designation and conservation of certain public lands in the State of Alaska, including the designation of units of the national park, national wildlife refuge, national forest, national wild and scenic rivers, and national wilderness preservation systems, and for other purposes;

H.R. 5496. An act to amend the National Historic Preservation Act of 1966, and for other purposes; and

H.R. 6933. An act to amend the patent and trademark laws.

#### ADJOURNMENT

Mr. GONZALEZ. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 7 minutes p.m.) the House adjourned until tomorrow, Wednesday, December 3, 1980, at 10 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

5723. A letter from the Director, Defense Security Assistance Agency, transmitting a report on the impact on U.S. readiness of the Army's proposed sale of certain defense equipment to Switzerland (Transmittal No. 81-03), pursuant to section 813 of Public Law 94-106; to the Committee on Armed Services.

5724. A letter from the Assistant Secretary of the Air Force (Research, Development and Logistics), transmitting notice of the proposed conversion to contractor performance of the commissary shelf-stocking and custodial services function at Maxwell Air Force Base, Ala., pursuant to section 502(b) of Public Law 96-342; to the Committee on Armed Services.

5725. A letter from the Assistant Secretary of the Army (Installations, Logistics, and Financial Management), transmitting notice of the Army's intention to study the conversion from in-house operation to commercial contract of various functions at sundry locations, pursuant to section 502(a) of Public

On December 5, 1980:

H.J. Res. 634. Joint resolution to authorize the United States Secret Service to continue to furnish protection to the former Vice President or his spouse;

H.R. 2510. An act to amend title 5, United States Code, to permit Federal Employees to obtain review of certain disability determinations made by the Office of Personnel Management under the civil service retirement and disability system;

H.R. 2583. An act to amend chapter 83 of title 5, United States Code, to discontinue civil service annuity payments for periods of employment as a justice or judge of the United States, and for other purposes;

H.R. 5108. An act to provide for the removal of the names of certain Alaska Natives from the Alaska Native Roll and to allow their enrollment with the Metlakatla Indian Community;

H.R. 7698. An act for the relief of two mining claimants.

H.R. 7765. An act to provide for reconciliation pursuant to section 3 of the First Concurrent Resolution on the Budget for the fiscal year 1981;

H.R. 7960. An act to provide for the setting aside in special trust lands and interests within the Winema National Forest to Edison Chiloquin and for the transfer of moneys otherwise available to Mr. Chiloquin from the Klamath Indian Settlement to the Secretary of Agriculture for the acquisition of replacement lands or interests; and

H.R. 8117. An act to amend the Safe Drinking Water Act, and for other purposes.

On December 8, 1980:

H.R. 4892. An act to repeal section 506 of the Communications Act of 1934.

On December 11, 1980:

H.R. 6410. An act to reduce paperwork and enhance the economy and efficiency of the Government and the private sector by improving Federal information policymaking, and for other purposes; and

H.R. 7020. An act to provide for liability, compensation, cleanup, and emergency response for hazardous substances released into the environment and the cleanup of inactive hazardous waste disposal sites.

On December 12, 1980:

H.R. 5496. An act to amend the National Historic Preservation Act of 1966, and for other purposes;

H.R. 6086. An act to provide for the settlement and payment of claims of United States civilian and military personnel against the United States for losses resulting from acts of violence directed against the United States Government or its representatives in a foreign country or from an authorized evacuation of personnel from a foreign country;

H.R. 6211. An act to authorize the Secretary of the Interior to issue certain patents under the Color of Title Act;

H.R. 6258. An act providing for reinstatement and validation of United States oil and gas leases numbered C-9496, C-9711, C-11600, C-11621, C-11622, C-11630, C-11631, C-11597, C-11599, C-13774, C-14197, C-17049, C-18262, C-26048, C-13532, C-11581, C-11585, S-11590, C-11591, and C-11595;

H.R. 6849. An act entitled the "Methane Transportation Research, Development, and Demonstration Act of 1980";

H.R. 6933. An act to amend the patent and trademark laws;

H.R. 7466. An act to amend section 3102 of title 5, United States Code, and section 7 of the Federal Advisory Committee Act to permit the employment of personal assistants for handicapped Federal employees both at their regular duty station and while on travel status;

H.R. 7724. An act making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1981, and for other purposes;

H.R. 7805. An act to authorize appropriations for the American Folklife Center for fiscal years 1982, 1983, and 1984;

H.R. 7815. An act to recognize the meritorious achievements of certain individuals by providing for the designation of certain post offices in their honor, and for other purposes;

H.R. 8228. An act to provide that a certain portion of Lake Erie shall be declared non-navigable; and

H.R. 8388. An act to amend the Foreign Assistance Act of 1961 to authorize appropriations for international disaster assistance for the victims of the recent earthquakes in southern Italy.

On December 15, 1980:

H.J. Res. 205. Joint resolution authorizing appropriation of funds for acquisition of a monument to Dr. Ralph J. Bunche, and installation of such monument in Ralph J. Bunche Park in New York City;

H.R. 927. An act for the relief of Dr. Ka Chun Wong, and his wife, Marilyn Wong;

H.R. 6243. An act to provide that the park referred to as the East Lake Park located within the West Point Lake project on the Chattahoochee River, Ga., shall hereafter be known and designated as the "R. Shaefer Heard Park";

H.R. 7591. An act making appropriations for Agriculture, Rural Development, and Related Agencies programs for the fiscal year ending September 30, 1981, and for other purposes;

H.R. 7631. An act making appropriations for the Department of Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 1981, and for other purposes;

H.R. 8061. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1981, and for other purposes; and

H.R. 8105. An act making appropriations for the Department of Defense for the fiscal year ending September 30, 1981, and for other purposes.

On December 16, 1980:

H.J. Res. 644. Joint resolution making further continuing appropriations for the fiscal year 1981, and for other purposes;

H.R. 5876. An act to amend title 32, United States Code, to allow Federal recognition as officers of the National Guard of members of the National Guard of the Virgin Islands in grades above the grade of colonel; and

H.R. 6942. An act to authorize appropriations for the fiscal year 1981 for international security and development assistance, the Peace Corps, and refugee assistance, and for other purposes.

On December 17, 1980:

H.J. Res. 601. Joint resolution making an appropriation for the International Monetary Fund for the fiscal year ending September 30, 1981;

H.R. 6975. An act to extend temporary tax provisions, and for other purposes.

H.R. 7018. An act to extend the Federal Insecticide, Fungicide, and Rodenticide Act until September 30, 1981, and for other purposes; and

H.R. 7385. An act to authorize the Secretary of the Interior to transfer certain land and facilities used by the Bureau of Mines, and for other purposes.

On December 18, 1980:

H.R. 1298. An act to designate the United States Post Office and Federal Building in Huntington, W. Va., as the "Sidney L. Christie Federal Building";

H.R. 4522. An act for the relief of Annette Jutta Wohrle;

H.R. 5687. An act for the relief of Michael G. Macdonald;

H.R. 5788. An act for the relief of Jun Ae Hee;

H.R. 8173. An act to provide for distribution in the United States of certain international Communication Agency films relating to President Lyndon Baines Johnson;

H.R. 8386. An act for the relief of Roy P. Benavidez; and

H.R. 8404. An act to designate the Federal Building-United States Courthouse in Sacramento, Calif., the "John E. Moss Federal Building-United States Courthouse."

On December 19, 1980:

H.J. Res. 570. Joint resolution to provide for a temporary increase in the public debt limit;

H.R. 935. An act for the relief of Jesse Kuo Tang and Sharon Kuo Tang;

H.R. 936. An act for the relief of Kit Tung;

H.R. 1316. An act for the relief of Kuo-Yao Cheng;

H.R. 2433. An act for the relief of Zora Singh Sunga;

H.R. 2872. An act for the relief of Oliva Manaois Abrasaldo;

H.R. 3096. An act for the relief of Raymond M. Gee;

H.R. 3138. An act for the relief of Surip Karmowiredjo;

H.R. 3351. An act to amend chapter 55 of title 10, United States Code, to authorize dependents of members of the uniformed services serving on active duty to use CHAMPUS inpatient cost-sharing rates for certain surgery performed on an outpatient basis;

H.R. 3707. An act for the relief of Joy Mar-sia Dehaney;

H.R. 3859. An act for the relief of Eileen Angella Crosdale;

H.R. 4139. An act for the relief of Feero-nah Abbosh;

H.R. 4778. An act for the relief of Sada Kim;

H.R. 5067. An act for the relief of Dr. Thomas Eisler and Carmen Elizabeth Eisler;

H.R. 5157. An act for the relief of Lilia Ester Cantu;

H.R. 5182. An act to amend the Chesapeake and Ohio Canal Development Act to change the Termination date of the Chesapeake and Ohio Canal National Historical Park Commission from the date 10 years after the effective date of such Act to the date 20 years after such effective date;

H.R. 5379. An act for the relief of Jaram-porn Serm Sri and Akharata Serm Sri;

H.R. 5745. An act for the relief of Michael Chinwen Ke;

H.R. 6030. An act for the relief of Elena Patricia Mattos;

H.R. 7147. An act to provide that certain land of the United States shall be held in trust for certain communities of the Kdewakanton Sioux in Minnesota;

H.R. 8235. An act to grant the consent of the Congress to the Tahoe Regional Planning Compact, and to authorize the Secretary of Agriculture and others to cooperate with the planning agency thereby created; and

H.R. 8298. An act to designate certain National Forest System lands in the State of New Mexico for inclusion in the National Wilderness Preservation System, and for other purposes.

On December 22, 1980:

H.J. Res. 337. Joint resolution designating February 11, 1981, "National Inventors' Day";

H.J. Res. 615. Joint resolution providing for appointment of David C. Acheson as a citizen regent of the Board of Regents of the Smithsonian Institution;

H.J. Res. 642. Joint resolution providing for convening of the first session of the first regular session of the 97th Congress on January 5, 1981, and for other purposes;

H.R. 949. An act for the relief of Welita F. Sebastian;

H.R. 999. An act to amend the Plant Variety Protection Act (7 U.S.C. 2321 et seq.) to clarify its provisions, and for other purposes;